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Canada. Agriculture, Dept. of. Marketing

Economics Branch



286

# PROVINCIAL AGRICULTURAL LEGISLATION

in the Atlantic  
Provinces  

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1956



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CANADA DEPARTMENT OF AGRICULTURE

MARKETING SERVICE - ECONOMICS DIVISION

OTTAWA, AUGUST 1956



## PREFACE

This summary of provincial agricultural legislation in the Atlantic Provinces replaces the reference paper on the same subject which was issued by the Department of Agriculture in 1950 and the supplement and consolidated index issued in 1953. The present work includes provincial legislation on the statute books on July 1, 1956.

Statutes of the provinces of Newfoundland, Prince Edward Island, Nova Scotia and New Brunswick which directly or indirectly bear upon agriculture, together with amendments, are classified according to subject matter and summarized very briefly. These summaries have been written in non-legal, non-technical language. They are not intended to be read as substitutes for the statutes themselves.

The following abbreviations are employed:-

R.S.N.	- Revised Statutes of Newfoundland
S.N.	- Statutes of Newfoundland
R.S.P.E.I.	- Revised Statutes of Prince Edward Island
S.P.E.I.	- Statutes of Prince Edward Island
R.S.N.S.	- Revised Statutes of Nova Scotia
S.N.S.	- Statutes of Nova Scotia
R.S.N.B.	- Revised Statutes of New Brunswick
S.N.B.	- Statutes of New Brunswick
c.	- chapter
(am.)	- amendment
(sec.)	- section

Similar papers covering agricultural legislation in the Western Provinces and in Quebec and Ontario have been published. A summary entitled "Federal Agricultural Legislation in Canada 1954" has also been issued.



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## DIVISION OF LEGISLATIVE POWERS CONCERNING AGRICULTURE

In Canada, all legislative authority is divided between the Federal Parliament and the Provincial Legislatures. This division is made in Sections 91, 92, 93 and 95 of the British North America Act and its amendments. However, this division has been profoundly affected by the interpretation placed upon the various sections of the B.N.A. Act by the courts in the course of many judicial decisions since 1867. Until recently these final decisions were rendered by the Judicial Committee of the Imperial Privy Council; latterly, and in the future, the final decisions have been and will be made by the Supreme Court of Canada. The consequence is that a literal reading of the B.N.A. Act will not in itself clearly reveal the division of legislative power in Canada; a knowledge of the judicial interpretation of the constitution is also essential.

The general legislative powers of the Federal Parliament are contained in the opening words of Section 91 of the B.N.A. Act as follows: "It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons to make Laws for the Peace, Order and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces ..." Then are listed a number of matters over which the Federal Parliament is to have exclusive legislative authority. However, as a result of judicial decisions the general power of the Federal Parliament has been interpreted, in the main, as applying only in periods of national emergency.

The general legislative powers of the provinces are contained in Section 92 of the B.N.A. Act and, especially, as a result of judicial decisions, in sub-sections 13 and 16, as follows: "In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say, -

• • • • •

13. Property and Civil Rights in the Province.

• • • • •

16. Generally all Matters of a merely local or private Nature in the Province."

Section 95 of the B.N.A. Act, which provides for concurrent jurisdiction over agriculture, but with the federal law prevailing in case of conflict, reads as follows:

"In each Province the Legislature may make Laws in relation to Agriculture in the Province, and to Immigration into the Province; and it is hereby declared that the Parliament of Canada may from Time to Time make Laws in relation to Agriculture in all or any of the Provinces and to Immigration into all or any of the Provinces; and any Law of the Legislature of a Province relative to Agriculture or to Immigration shall have effect in and for the Province as long and as

far only as it is not repugnant to any Act of the Parliament of Canada."

The Federal Parliament is given exclusive jurisdiction over "The Regulation of Trade and Commerce" by sub-section 2 of Section 91 of the B.N.A. Act but the general effect of judicial decisions has been to confine this power to inter-provincial and international trade and commerce and to consign trade and commerce within the boundaries of a province to provincial jurisdiction. Hence federal laws dealing with agricultural products may apply only to trade which extends beyond provincial boundaries.

In order to secure uniformity of laws and regulations respecting such matters as the marketing of agricultural products, there are situations in which the federal parliament has passed statutes applying to inter-provincial and export trade and provinces have passed very similar statutes which apply to trade within those provinces. This is sometimes called concurrent legislation. For example, the Canada Dairy Products Act and the Prince Edward Island Dairy Products Act, Part XVII of the Agriculture and Marketing Act of Nova Scotia and the Dairy Industry Act of New Brunswick are in substantial concurrence, especially in the regulations authorized under the statutes.

The federal Agricultural Products Marketing Act provides that the Governor in Council may grant authority to any provincial board or agency which has power to regulate the marketing of agricultural products locally within the province, the same authority to regulate the marketing of such agricultural products in inter-provincial and export trade.

Several of the provincial acts, mainly those dealing with drainage and irrigation works and with the provision of Crown lands for settlement schemes, give power to their appropriate Ministers to enter into agreements with the federal government for undertaking joint projects affecting agriculture.

Another sub-section of Section 91 of the B.N.A. Act which gives exclusive power to the Parliament of Canada over matters indirectly affecting agriculture is number 17, "Weights and Measures".

The provinces obtain exclusive power in matters indirectly affecting agriculture in the following sub-sections of Section 92 of the B.N.A. Act:

- "5. The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon.
8. Municipal Institutions in the Province.
9. Local Works and Undertakings (with certain exceptions).
11. The Incorporation of Companies with Provincial Objects.
15. The Imposition of Punishment of Fine, Penalty or Imprisonment for enforcing any Law of the Province

made in relation to any Matter coming within any of the Classes of Subjects enumerated in this Section."

In several matters, such as research in the control of plant and animal diseases, in which both Canada and the Provinces are interested, there is co-operation between the federal and provincial administration departments to prevent duplication of effort.

1. ADMINISTRATION

N E W F O U N D L A N D

DEPARTMENT OF MINES AND RESOURCES ACT, R.S.N. c.14, 1952.

"An Act Respecting the Department of Mines and Resources".

The duties, powers and functions of the Minister of Mines and Resources extend to and include, among other matters, agriculture. He also has the control and management of the Crown Lands except those specifically under the control of any other minister, department or agency.

P R I N C E E D W A R D I S L A N D

AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. c.5, 1951.

The Minister of Agriculture is to administer the agricultural affairs of the province and the moneys provided by the legislature for the encouragement of agriculture and the dissemination of agricultural information. He is to organize Farmers' Institutes, receive the accounts and reports of these societies, take measures to obtain from other countries animals of new and improved breeds, new varieties of grains, seeds, vegetables and other agricultural products for distribution in the several districts and adopt measures to promote improvement in stock raising, dairying, horticulture and other branches of agriculture. (For a summary of the balance of this act see under "Agricultural Societies and Education.")

N O V A S C O T T I A

PUBLIC SERVICE ACT, R.S.N.S. c.240, 1954; S.N.S. 1955, c.41 (am.)

This act establishes the various departments for the administration of the public affairs of the province. Sections 22, 23 and 24 establish the Department of Agriculture and Marketing which is to be administered in accordance with the Agriculture and Marketing Act and the other statutes relating to agriculture, marketing and kindred subjects. These sections briefly prescribe the powers and duties of the Minister of Agriculture and Marketing and provide for the appointment of a Deputy Minister.

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.)

Part I of this act continues the Department of Agriculture and Marketing under the Minister of Agriculture and Marketing, provides that the department shall be administered under this act and the other statutes

relating to agriculture and marketing and gives the Minister power, with the approval of the Governor in Council, to make rules and regulations for the purpose of carrying out the provisions of this act.

(For summaries of other parts of this act, see under "Agricultural Societies and Education," "Production - Livestock," "Production - Crops," "Marketing - General,", "Marketing - Livestock and Livestock Products," and "Land Policy.")

#### N E W B R U N S W I C K

##### EXECUTIVE COUNCIL ACT, R.S.N.B. c.75, 1952.

This act provides for the appointment, among other ministers, of a Minister of Agriculture and empowers the Lieutenant-Governor in Council to prescribe the duties of this and other Ministers and of the departments over which they preside.

#### 2. PRODUCTION

##### (a) General

#### N E W F O U N D L A N D

##### NEWFOUNDLAND POWER COMMISSION ACT, S.N. 1954, c.72.

"An Act to Establish the Newfoundland Power Commission".

The Newfoundland Power Commission is established under this act and given authority to control the development of the electrical power of the province. In Section 12 of the act the Commission is charged with the duty of making special research and investigations with a view to ascertaining and recommending the measures to be undertaken to secure rural electrification in the highest possible degree. In the same section it is required to make recommendations to the government for the development of electrical power and energy and the transmission of it to those parts of the province where a supply is necessary, with particular emphasis on the supply of electricity to rural areas.

#### P R I N C E E D W A R D I S L A N D

##### GAME ACT, R.S.P.E.I. 1951, c.67; S.P.E.I. 1956, c.13 (am.)

Section 5 of this act exempts resident farmers and rural laborers from the requirement that no person may angle for trout or salmon or hunt any upland game bird or migratory game bird or hare or rabbit unless a license is issued to him under this act.

N O V A S C O T I A

RESEARCH FOUNDATION ACT, R.S.N.S. 1954, c.253

The Research Foundation of Nova Scotia is constituted. Among its purposes, which in general include research and investigation of scientific and technological methods affecting the utilization of the natural resources of the province, is the investigation of improvements in the conditions of agriculture.

RURAL ELECTRIFICATION ACT, R.S.N.S. c.254, 1954; S.N.S. 1955, c.42 (am.)

If the revenue from the supply of electricity in a rural district is insufficient to meet the cost of supplying it, the amount of the deficit is to be paid out of the Consolidated Revenue Fund of the province. In future no extension of rural electricity supply is to be authorized without a specified number of customers per mile. The province may make agreements with public utilities to pay part of the cost of serving any rural electric extensions. Where a public utility fails to make an electric extension in a rural district after the residents have petitioned for it, the Nova Scotia Power Commission may make the extension and the public utility must, if required, sell energy to the Commission at actual cost. The Commission may furnish equipment or facilities to any public utility or otherwise assist it, if the equipment or facilities of the public utility are inadequate. Provision is made for the collection of a provincial tax on consumers of electric energy for domestic, commercial or industrial use.

AN ACT TO ASSIST IN THE PURCHASE OF POWER MACHINES FOR AGRICULTURAL PURPOSES, S.N.S. 1917, c.11

This act is now inoperative.

AN ACT TO ENCOURAGE THE PURCHASE OF AGRICULTURAL MACHINERY, S.N.S. 1917, c.12.

This act is now inoperative

N E W B R U N S W I C K

MOTOR VEHICLE ACT, S.N.B. 1955, c.13; S.N.B. 1956, c.19 (am.)

Section 12 of this act provides that an implement of husbandry which is only incidentally operated or moved upon a highway does not need to be registered. This includes a farm tractor designed for agricultural purposes and exclusively used by the owner in the conduct of his agricultural operations.

(b) Crops

N E W F O U N D L A N D

PLANT PROTECTION ACT, 1954, S.N. 1954, c.15.

"An Act Relating to the Protection of Plants and to the Prevention of the Spread of Insects, Pests and Diseases Destructive to Vegetation".

The Minister of Mines and Resources may, with the approval of the Lieutenant-Governor in Council, make regulations providing for the treatment and manner of treatment to be given any plant, container or premises to eradicate, control or prevent the spread of disease, prescribing who may give the treatment, providing for the seizure, confiscation and destruction of plants and containers that are infested with disease, providing for compensation, not to exceed two-thirds of the value of the plants or containers, providing for the quarantine of any area to control disease, prescribing the terms and conditions for the production and sale of seed potatoes and similar matters. The powers and duties of inspectors are prescribed. The importation and selling of diseased plants is prohibited. Nurseries must be registered and are subject to inspection to ascertain that they are free of disease.

P R I N C E E D W A R D I S L A N D

WEED CONTROL ACT, S.P.E.I. 1955, c.34.

No person shall deposit any noxious weeds or weed seed in any place where it is likely to cause weeds to grow or spread or move any machine used for threshing, combining, seed-cleaning, chopping, baling, silo filling, etc. without first removing all seeds and residue therefrom. Persons in charge of grain elevators, grist mills, flour mills, seed-cleaning plants, etc. shall dispose of all refuse containing weed seeds in such manner as will prevent the weed seeds from growing or spreading. Operators of seed-cleaning plants used by the public must be licensed and their plants have an efficiency not lower than the minimum standards prescribed by the regulations. The Lieutenant-Governor in Council may make regulations designating plants as noxious weeds, prescribing methods and procedures for the destruction of noxious weeds and weed seeds, regulating the transportation of farm produce that is infested with noxious weeds or weed seeds and similar matters.

FIELD-ROOT SEEDS ZONING ACT, R.S.P.E.I. c.58, 1951.

The Lieutenant-Governor in Council may proclaim any areas as special areas for the purpose of encouraging the growing of pure seed of any root crops and to prevent the cross pollination of such seed. No person shall grow within any such area an open pollinated seed crop of a variety other than that for which the area is proclaimed.

POTATO PRODUCTION ACT, R.S.P.E.I. c.114, 1951; S.P.E.I., 1956, c.27 (am.).

No person shall plant potatoes in the province unless the seed used is of the class Foundation or Certified. This shall not apply on an individual property not exceeding one acre, unless otherwise declared by proclamation of the Lieutenant-Governor in Council. Each grower must register each field of potatoes for inspection, if for seed potato production to the District Seed Potato Inspector of the federal Department of Agriculture, if for table stock production to the provincial Department of Agriculture. Every grower must exercise necessary care to avoid any possible contamination with bacterial ring rot.

PLANT DISEASE ERADICATION ACT, R.S.P.E.I. c.111, 1951; S.P.E.I. 1952, c.34 (am.); S.P.E.I. 1953, c.35 (am.); S.P.E.I. 1954, c.25 (am.); S.P.E.I. 1956, c.26 (am.).

A Potato Industry Promotion Committee is established for the control of plant diseases or pests, for the promotion of educational and publicity activities designed to improve methods of production, for the extension and investigation of markets and the development of policies calculated to promote the best interests of the potato industry generally. Inspectors may be appointed who have powers of entry and may take specimens. A number of enforcement provisions in the act prescribe the duties of growers and dealers when their farms or premises have been contaminated by any plant disease or pest, including the disposal of potato bags or containers and the disinfecting of implements, vehicles and equipment. Every carrier must supply information regarding the transportation of second-hand potato bags into the province, of potatoes out of the province and every grower or dealer must supply information twice a year regarding the quantities of potatoes he has shipped out of the province. No person may move potato planting machinery or equipment from one farm to another unless it has been disinfected. Where any producer of potatoes suffers loss by reason of the presence of any plant disease in any potatoes shipped out of the province, he may be reimbursed by a payment out of the Potato Industry Promotion Fund. This fund may also be used for the promotion of the potato industry generally.

N O V A S C O T I A

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.).

Part VIII of this act provides for the appointment of a Provincial Agronomist who is to have all the powers of an inspector appointed under this part of the act. The Governor in Council, upon the recommendation of the Minister of Agriculture, may proclaim Pure Seed Areas within which no person shall grow an open pollinated seed crop of a variety other than that for which the area is proclaimed. Regulations may be made by the Governor in Council approving a variety or varieties of seed, providing for the inspection, testing and approval of such seed and the inspection of such areas and dealing with similar matters.

Part X of the act deals with soil improvement. It provides for the appointment of a Provincial Chemist whose duty it will be to study and test soil to determine its suitability for certain agricultural purposes, to advise farmers as to the most economical and suitable use of fertilizers,

to examine limestone deposits and encourage the use of limestone for agricultural purposes and to analyze and determine the suitability of water, feeds, sprays and other substances used for agricultural purposes. The Governor in Council may operate limestone quarries, mills, and warehouses for the production and distribution of agricultural limestone and facilitate its distribution by rebates of freight rates, cash bonuses or other methods.

Part XI of the act is designed to protect cranberries, foxberries and blueberries. In the Counties of Antigonish, Cumberland, Guysborough, Halifax, Richmond and Yarmouth, each municipality is to have a Berry Committee consisting of the Warden, Clerk, District Forester and the Agricultural Representative which shall fix the time when it shall not be lawful to pick or rake cranberries, foxberries or blueberries in the municipality. Until a Berry Committee otherwise orders, no berries of the three types may be harvested between August 1 and September 15 inclusive. A municipal council may pass a by-law prohibiting the use of a scoop, rake or other mechanical device for the harvesting of blueberries.

Part XII is entitled "Plant Diseases, Insects and Pests." A Provincial Entomologist may be appointed who shall have all the powers conferred upon an inspector under this part of the act. The Governor in Council may make regulations making it unlawful for a person to possess any vegetation or vegetable or other matter that the Minister of Agriculture deems to be likely to introduce or disseminate any designated plant disease, insect or pest, providing for the treatment to be given to eradicate or control the disease or pest, prohibiting the sale of infected vegetation or vegetable matter, establishing quarantine areas, providing for the seizure, confiscation and destruction of infected vegetation and concerning similar matters. Inspectors may be appointed and they may be given powers of entry.

Part XIII deals with the prevention, control and elimination of the apple maggot. It provides for continuation of the Apple Maggot Control Board, one member of which may be appointed by the Minister of Agriculture for Canada as long as the Federal government or parliament contributes to the work of apple maggot control in the province. The Board, subject to the approval of the Governor in Council, may make regulations making it unlawful for a person to have in his possession any vegetable or other matter which is likely to introduce or disseminate apple maggot, providing for the treatment to be given any vegetable matter or premises to eradicate or control the apple maggot, providing that the occupier of premises on which the maggot is discovered must notify the Board, providing for the seizure, confiscation, disposal or destruction of vegetation infested with the apple maggot and dealing with similar matters. The Board may designate "Apple Maggot Control Zones" and prevent the movement of apples into the zone without the consent of the Board. The Board and its inspectors and officers have powers of entry.

(For summaries of other parts of this act, see under "Administration," "Agricultural Societies and Education," "Production - Livestock," "Marketing - General," "Marketing - Livestock and livestock products," and "Land Policy.").

POTATO INDUSTRY ACT, R.S.N.S. c.219, 1954.

Upon application by at least 80 per cent of the potato growers in any area, the Governor in Council may establish the area as a certified foundation seed area or a certified seed area and may make regulations governing the planting, growing, digging, storing and conveying of potatoes in the area and the conveying of potatoes between the area and other parts of the province, the source and quality of seed to be planted, standards of certification for foundation seed, compulsory rogueing, periods during which and the extent to which rogueing and removal of defective plants may be practised and the compulsory destruction of crops. Another part of this act deals with disease control and empowers the Governor in Council to make regulations governing standards and grades of potatoes brought into or grown in any part of the province, the treatment to be given any vehicle or container to prevent spreading any insect, pest or disease, the use of containers and vehicles intended to transport potatoes, sale and movement of potatoes from farm to farm within a defined area, prohibition of sale of infected potatoes, confiscation of potatoes, containers and vehicles, notification of the presence or suspected presence of any insect or disease and similar matters. Inspectors may be appointed and they shall have power to enter premises and vehicles and impose quarantine of premises and detain vehicles.

AN ACT TO ENCOURAGE THE CROWING OF WHEAT AND OTHER CEREALS.

S.N.S. 1915, c.12; S.N.S. 1918, c.21 (am.); S.N.S. 1925, c. 77 (am.).

This act is now inoperative.

N E W B R U N S W I C K

INJURIOUS INSECT AND PEST ACT, R.S.N.B. c.110, 1952.

The Lieutenant-Governor in Council may make such regulations as are deemed expedient to prevent the introduction into the province or the dissemination therein of any insect, pest or plant disease seriously injurious to vegetation and may designate the insect, pest and plant disease to which this act shall apply. Such regulations may provide for the prohibition of admission into the province of vegetable or other matter likely to introduce any insect, pest or plant disease, the method of treatment to eradicate or control a disease or pest, the collection from owners of the cost of treatment, the prohibition of the sale of diseased or infected vegetation, the confiscation of infected vegetable matter and the container thereof and the quarantining of areas where an insect or plant disease becomes a menace to crops. Inspectors may be appointed and their rights and duties are prescribed.

POTATO INDUSTRY ACT, R.S.N.B. c.172, 1952; S.N.B. 1954, c.66 (am.)

Upon application by not less than 80 per cent of the growers in an area, the Lieutenant-Governor in Council may establish the area as a certified foundation seed stock area or certified seed stock area or disease control area and make regulations governing the planting, growing, digging, storing and conveying of potatoes in the area and the conveying of potatoes between the area and other parts of the province. To control disease the Lieutenant-Governor may make regulations governing the standards and grades of potatoes entering into trade within any defined area, treatment to be given to vehicles and containers and their use, sale and movement of potatoes from farm to farm, prohibition of sale of infected potatoes, inspection of potatoes, containers and vehicles prior to shipment and confiscation of potatoes, containers and vehicles. Inspectors are to be appointed and their powers are specified.

Upon application by not less than 80 per cent of the growers of potatoes who grow in excess of one acre of potatoes, an area may be designated a registration area. Every grower of more than an acre of potatoes in such an area must register annually with the Minister of Agriculture and pay a fee which will be placed in the Potato Industry Fund and used for the promotion and development of the potato industry. An Advisory Committee is to be appointed to advise the Minister and no monies are to be paid out of the Potato Industry Fund except upon that Committee's recommendation. The New Brunswick Potato Growers' Council is to administer and direct the work performed with the Potato Industry Fund.

ENCOURAGEMENT OF SEED GROWING ACT, R.S.N.B. c.72, 1952.

Upon recommendation of the Minister of Agriculture, the Lieutenant-Governor in Council may establish special areas for the purpose of encouraging the growing of pure seed of any open pollinated farm or garden crop and to prevent the cross pollination of such seed. No person may grow in any such area any variety or strain of seed crop other than the variety or strain permitted by the regulations made under this act. Regulations may be made approving of a variety or varieties of seed, appointing inspectors to test and approve seed and prohibiting the growing in an area of any variety or strain of seed other than the one for which the area is established.

(c) Livestock

N E W F O U N D L A N D

PREVENTION OF CATTLE DISEASE ACT, R.S.N. c.195, 1952.

"An Act Respecting the Prevention of Cattle Disease".

The Lieutenant-Governor in Council may make regulations for preventing the introduction or spreading of any contagious or infectious disease among horses, cattle, pigs and sheep in the province and may issue orders to prevent the landing in any port or place in the province of horses, cattle, pigs or sheep having any contagious or infectious disease and order the immediate removal and, if necessary, the destruction of the same.

LIVESTOCK ACT, R.S.N. c.194, 1952

"An Act Respecting Livestock".

This act deals with a number of matters respecting livestock, including the running of livestock at large upon enclosed lands, driving cattle without the owner's consent, the impounding of injured cattle, the prohibition of cattle running at large and liability for damage caused by such cattle, a description of lawful fences, the erection of ground gates, the licensing of dealers in livestock, the duty of persons where cattle are killed or injured by a railway train or on the highway, and the prohibition against permitting mischievous animals to run at large.

NUISANCES AND MUNICIPAL REGULATIONS ACT, R.S.N. c.72, 1952

"An Act Respecting Nuisances and Municipal Regulations".

Sections 21 to 24 of this act provide that the owners of stallions, bulls, rams or he-goats which are at large are liable for any damage they may cause, set forth the ages at which animals not intended for breeding purposes and not kept strictly on the owner's premises must be castrated and provide that owners of stock being reared for breeding purposes must supply a description of each animal to the nearest Agricultural Society or Justice of the Peace. Sections 27 to 32 deal with the impounding of stray animals, setting forth how animals are to be impounded, the duties and powers of impounders and the schedule of fees for impounders.

PROTECTION OF ANIMALS ACT, R.S.N. c.137, 1952

"An Act Respecting the Protection of Animals".

This act prohibits certain acts of cruelty to animals and provides penalties for infractions. It provides that a Justice of the Peace may order the destruction of any animal injured by cruelty. It also provides for compensation for damage or injury caused by cruelty, sets forth the power of a constable to cause the destruction or removal of a diseased or injured animal, makes certain provisions regarding the slaughtering

of animals, places restrictions on the right to kill animals found at large, gives the chief agent of the Society for the Protection of Animals the powers of a police constable, and deals with the procedure to be followed when an animal is injured by a train or automobile or motorcycle.

DOG ACT, R.S.M. c.196, 1952; S.N. 1953, c.55 (am.); S.N. 1954, c.44 (am.)  
"An Act Respecting the Keeping of Dogs".

Part I of this act applies to a particular area described in the act. It provides for government orders requiring the licensing of all dogs, requiring dogs to wear licence tags and prohibiting the keeping of dogs in certain parts of the area, with certain specified exceptions. Unlicensed dogs may be destroyed by a constable or any other authorized person. A magistrate may order the penning of dogs during certain periods. Part II deals with the control of dogs in Labrador. Part III applies to the control of dogs in other parts of Newfoundland. Part IV applies to the whole of Newfoundland and provides for the destruction of dogs found killing, maiming or worrying persons, cattle or poultry, for the collection of damages from the owners of the dogs and for the destruction of the dogs. Part V deals with the powers of the Lieutenant-Governor in Council to prohibit the keeping of dogs in any part of the province except within the City of St. John's.

#### P R I N C E   E D W A R D   I S L A N D

STALLION ENROLLMENT ACT, R.S.P.E.I. c.150, 1951

No person may stand, travel, advertise or offer for service any stallion unless it has been enrolled and a certification of registration received by the owner. Before enrollment each stallion must be inspected. There are four grades of certificates for purebred stallions and two classifications for grade or crossbred stallions. The method of inspection and complaints by owners regarding the reports of inspectors are also dealt with in the act. If no enrolled stallion is available for service in any district, the Minister of Agriculture may issue a provisional certificate for the use of a stallion that has not been inspected, until such time as inspection can be carried out.

BANG'S DISEASE ERADICATION ACT, R.S.P.E.I. c.17, 1951; S.P.E.I. 1952, c.6 (am.); S.P.E.I. 1955, c.1 (am.)

This act provides for the establishment of Restricted Areas for the eradication of Bang's Disease (brucellosis in cattle) and prohibits the shipping or moving of cattle into such areas unless the cattle are accompanied by a certificate from a qualified veterinarian to the effect that they are free of the disease. Inspectors may be appointed and inspectors and officers of the Health of Animals Division of the Department of Agriculture of Canada may be designated inspectors under this act. Inspectors have power to enter premises and take specimens and the Minister of Agriculture has power to order premises quarantined and order their cleaning and disinfecting. The amendment of 1952 extends the provisions

of this act, including the establishment of restricted areas, to any disease which affects not only cattle but also horses, sheep, swine and fowls. The amendment of 1955 provides for financial assistance to the owners of animals ordered slaughtered under the provisions of this act.

DOMESTIC ANIMALS ACT, R.S.P.E.I. c.45, 1951; S.P.E.I. 1954, c.12 (am.).

Part I of this act provides for the holding of a meeting by each school district for the purpose of making regulations, in addition to the prohibitions provided in this act, with respect to the times of the year in which any animal shall not be allowed to run at large. In the absence of any regulations, no horses, cattle, sheep or hogs may run at large between April 15 and December 15 in each year. The Reeve of the school district, who is appointed at the aforesaid meeting, is responsible for enforcing the regulations and his powers and duties in respect to seizure and sale of animals running at large are specified. Part II, which deals with running at large generally, provides that no stallion over one year old, nor bull over seven months old, nor ram over three months old nor any swine shall run at large at any time of year. Provision is made for the seizure of such animals running at large by the Reeve or any other person aggrieved and for their subsequent care and disposal. Part III deals with unruly or dangerous animals and provides for a court order that they be confined. Part IV is concerned with trespasses by animals, appraisal of damage they may commit and the action that may be taken against the owners of animals for recovery of damages. Part V deals with stray animals.

DOG ACT, R.S.P.E.I. c.44, 1951

The first part of this act provides for the levy of a dog tax for school purposes. The rates of tax are specified. If the tax is not paid, the dog in respect of which the tax is unpaid may be ordered to be destroyed. The second part deals with the protection of livestock (cattle and sheep). Any person may kill any dog found killing or injuring livestock or found straying and not under proper control upon premises where livestock are kept. Where any livestock has been killed or injured by a dog, the owner of the dog is liable for damages. Forty-eight hours after the owner of livestock injured by a dog has given notice of the injury to the owner of the dog, the latter must have the dog destroyed. If the owner does not do so, a justice (stipendiary magistrate) may issue a summons against him and, if the complaint is proved, order the dog to be killed within three days. Penalties are provided for failure to obey the court order.

POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E.I. c.116, 1951; S.P.E.I. 1956, c.29 (am.).

Part II of this act is concerned with poultry production. It authorizes the Lieutenant-Governor in Council to prescribe a program to be known as the Poultry Improvement Program for the improvement of poultry stock and the eradication of disease therein; requiring hatchery-men to register annually the names of their marketing agents and to keep

available for inspection records of production and marketing of chicks and poultry; prescribing the types, sizes, specifications, labelling and marketing of packages used by hatcherymen for the marketing of chicks; prescribing measures of sanitation for hatcheries; prescribing measures for inspection, banding and marketing of chicks and poultry; prescribing the method of applying the pullorum test; prescribing where and when the Dominion Hatchery Approval Policy and the regulations thereunder shall be in force and permitting registration under the Dominion Hatchery Approval Policy by any person operating a hatchery regardless of capacity. The Lieutenant-Governor in Council may appoint a Hatchery Committee to administer certain regulations of the act. All persons operating hatcheries must have permits from the Hatchery Committee. The powers and duties of inspectors under this act are prescribed. No person shall ship or accept for shipment chicks from any place within the province unless the chicks have been produced and labelled as required under the Dominion Hatchery Approval Policy and were produced in approved hatcheries using only eggs from flocks approved under a flock approval policy.

(For a summary of Part I of this act, see under "Marketing - Livestock and Livestock Products".)

#### APIARY INSPECTION ACT, R.S.P.E.I. c.8, 1951

Provision is made for the appointment of one or more Inspectors of Apiaries who shall make an inspection of all apiaries in June of each year and other inspections where necessary to discover and suppress all bee diseases of a contagious and infectious nature. The powers of inspectors are prescribed. Cases of foul brood or other disease must be reported and dealt with according to this act. It is an offense for a beekeeper to sell or move away any bees, hives, appliances or product where a contagious or infectious disease exists among the bees. An inspector may order the transfer of bees to movable frame hives. No person engaged in rearing queen bees for sale shall use honey in the making of candy for use in the mailing cages unless the honey has been boiled for at least 30 minutes. He must also have his queen-mating apiaries inspected at least twice each summer. All bees imported into the province in hives or on combs are in quarantine on the premises of the owner who must notify the Minister of Agriculture within ten days and he must not sell or dispose of the bees or any honey or appliances until permission is obtained from the inspector and the bees are declared free from disease.

#### MINK PROTECTION ACT, R.S.P.E.I. 1951, c.98; S.P.E.I., 1956, c.24 (am.).

Mink imported into the province must be carried by one of the government subsidized steamships or railway lines and be inspected by an authorized veterinary officer and subject to further inspection for ten months. The method of carrying mink, the segregation, confining and quarantining of mink and the duties of persons in notifying the appropriate authorities concerning the appearance of disease among mink and, in general, all measures designed to eradicate and prevent disease among mink are dealt with in the act.

VETERINARY ASSISTANCE ACT, R.S.P.E.I. c.170, 1951

To encourage veterinarians to practise, the Minister of Agriculture may pay to each veterinarian annually an amount to be determined by the Lieutenant-Governor in Council, provided the veterinarian complies with the regulations made under this act. The act provides for regulations respecting the terms and conditions of these payments, prescribing the maximum fees that may be charged by assisted veterinarians, dividing the province into zones for the purposes of this act, directing such veterinarians to comply with the Public Health Act when required by any Public Health Officer and prescribing the uniform fees to be charged by such veterinarians in any district or zone.

NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.)

Part III of this act, under the title "Encouragement of Cattle Breeding," prohibits the running at large of a bull over eight months old and forbids the keeper of a scrub bull to allow the bull to serve any cow that is kept within a prohibited area (i.e. an area within the boundaries of any agricultural society and any other area that is declared by the Governor in Council to be a prohibited area for the purposes of this part of the act), but does permit the president or secretary of an agricultural society to allow the servicing of a cow by a scrub bull where it is impracticable to procure the services of a purebred bull. This part also provides for the establishment of Purebred Cattle Areas within which no person may keep a scrub bull for breeding purposes or any bull over the age of eight months that is not a purebred bull.

Part IV provides that all stallions being offered for use for breeding purposes must be registered annually and a certificate of enrollment obtained. All stallions must be inspected and certificates are issued in four classes, the requirements for each class being specified in the act. Copies of certificates must be displayed inside and outside every building where a stallion is used for public service and certificates must be produced if demanded. This part lists the diseases or malformations considered in determining the enrollment classification.

Part V makes provision for the organization of the Nova Scotia Poultry Association as a body corporate with the objects of enabling poultry breeders to confer together for the interchange of information on poultry and pet stock breeding and to encourage the holding of poultry and pet stock shows. However this organization is now inoperative. Section 79 of this part empowers the Minister of Agriculture and Marketing, with the approval of the Governor in Council, to make regulations prescribing a policy to be known as the Nova Scotia Hatchery Approval Policy for the improving of poultry stock and the eradication of disease. These regulations may prescribe standards and grades for chicks, poultry and hatcheries, for approved flocks for breeding purposes and for operating

policies and sanitation of hatcheries, measures for the inspection and banding of poultry and marketing of chicks, methods of applying tests for disease in chicks and poultry and similar matters.

Part VI of the act deals with the artificial insemination of cattle, horses, sheep and swine. An Artificial Insemination Advisory Board is established to advise the Minister, and the Governor in Council is empowered to make regulations requiring the licensing of artificial insemination centers and technicians, prescribing the requirements and minimum standards for artificial insemination centers, prescribing the qualifications of technicians and providing for the keeping of records and furnishing of information.

Part XIV is concerned with the prevention and treatment of contagious diseases among bees. Every person owning or possessing bees must be registered for the current year. All bees imported into the province in hives or on combs and all bees among which a contagious or infectious disease exists shall be in quarantine on the premises of the owner who must notify the Minister within ten days of the receipt of the bees or of the outbreak of the disease and may not allow the removal of the bees or bee equipment until a certificate is received from the Minister. Provision is made for the appointment of a Provincial Apiarist and inspectors and their powers are prescribed. Inspectors must order that bees be kept in movable frame hives. No beekeeper may sell or remove from his premises any bees or used apiary appliances until he has secured a certificate from the Minister that they are considered free from disease. Every beekeeper must notify the Minister if he is aware of or suspects disease in his own or any other apiary.

(For summaries of other parts of this act, see under "Administration," "Agricultural Societies and Education," "Production - Crops," "Marketing - General," "Marketing - Livestock and livestock products," and "Land Policy."

#### BRUCELLOSIS CONTROL ACT, S.N.S. 1955, c.3

Brucellosis control areas may be established under appointed committees and all female calves in these areas must be vaccinated. The act prescribes how inspectors and veterinarians are to be appointed for the purpose of carrying out these vaccinations. Regulations may be made by the government prescribing the types of vaccines, methods of vaccination, ages of animals that must be vaccinated, duties of inspectors and dealing with similar matters.

#### STRAY ANIMALS ACT, R.S.N.S. c.276, 1954

This act describes how stray animals may be detained by the occupant of the land upon which they stray, how the municipal clerk must be notified, how the animals may be sold where no claimant appears and how the proceeds of the sale are to be applied. Other sections provide that dogs found chasing or worrying sheep may be killed and the owners of such dogs shall have no right of action against the persons killing them. Municipal councils may make by-laws for preventing or regulating the going at large of horses, cattle, sheep, dogs, swine, vicious animals and geese.

SHEEP PROTECTION AND DOG REGULATION ACT, R.S.N.S. c.262, 1954.

Part I of this act empowers municipal councils to make by-laws regarding the taxation, registration, restraint and killing of dogs. It prescribes how dog taxes are to be collected and dog tags issued. Part II deals with the protection of sheep. It makes the municipality liable to the owner of a sheep for damages if the animal is killed by a dog, whether the owner of the dog is known or not. It provides for the appointment of sheep valuers by each municipality and outlines their duties. The municipality may recover from the owner of a dog any sums it has paid out in damages as a result of the killing of a sheep by the dog. Where a dog is known to have killed or injured sheep the owner, on being duly notified, shall cause the dog to be killed within 48 hours. If he neglects to kill the dog, he may be summoned before a magistrate or justice of the peace and the latter may order a constable to enter the premises and kill the dog.

LIVESTOCK BRANDS ACT, R.S.N.S. c.156, 1954.

This act provides for the allotment of brands for horses, cattle, sheep, swine and domestic fowl upon application to the Provincial Animal Husbandman and their registration, transfer and publication. No person shall brand any livestock except with the brand allotted to him. A tariff of fees is appended.

FENCES AND IMPOUNDING OF ANIMALS ACT, R.S.N.S. c.97, 1954

Part of this act deals with compensation for damage inflicted by another person's animals breaking into and destroying the product of any enclosure. It describes how appraisal of damages shall be determined. It also deals with impounding and the pound keeper's duties and fees and how claims for damages and the charges of pound keepers are to be recovered from the owners of the animals. The County of Halifax, upon petition of a majority of ratepayers, may pass a by-law permitting cattle to run at large. In this case, no action for damage caused by cattle running at large shall be maintainable, unless the land on which the damage was committed is enclosed by a lawful fence.

(For a summary of the remainder of this act, see under "Land Policy - Land tenure.").

VETERINARY ASSOCIATION ACT, R.S.N.S. c.305, 1954.

The Nova Scotia Veterinary Association consisting of all persons duly qualified and registered to practise as veterinary surgeons is constituted as a body politic and corporate. The act prescribes who shall be members, provides for the election of the Council of the Association, outlines their powers, deals with registration of members and forbids any person practising veterinary surgery or claiming or inferring that he is a veterinary surgeon unless he is a registered member of the association.

VETERINARY ASSISTANCE ACT, R.S.N.S. c.304, 1954

A municipal council may establish a veterinary assistance board for the municipality or part of the municipality or may unite with other municipalities for the purpose. The composition of each board is specified. The objects of a board are to encourage and enable veterinarians to practise in the municipality, to enable them to confer and exchange information, to disseminate information and instruction on animal diseases and to render financial or other assistance to veterinarians practising in rural areas or the more sparsely settled rural areas. Provision is made for the payment of provincial grants to boards and for the levying of a special municipal tax for the upkeep of boards. A board may make regulations respecting the terms and conditions of payments to veterinarians, maximum fees that may be charged by veterinarians receiving assistance from the board, prescribing uniform rates and similar matters. The Governor in Council may appoint a Veterinary Assistance Advisory Board to assist in co-ordinating the activities of local boards, advising boards and make recommendations to the Minister of Agriculture and Marketing respecting the amounts to be paid to boards by the provincial government.

NEW BRUNSWICK

BANG'S DISEASE CONTROL ACT, S.N.B. 1956, c.8

An area for the control of Bang's Disease may be established upon application of at least 75 per cent of the owners in a district. The Minister of Agriculture may appoint inspectors for the purposes of the act or designate inspectors or officers of the Health of Animals Division of the Department of Agriculture of Canada as inspectors under this act. Provision is made for the inspection of animals, their vaccination, quarantine and branding and disinfection of premises where certain conditions exist. The duties of owners and inspectors in the control area are specified.

BOVINE TUBERCULOSIS ACT, R.S.N.B. c.21, 1952

The sale of cattle known to be affected with tuberculosis is prohibited. It is also forbidden to destroy the mark which an inspector, appointed under this act, may place upon cattle that have been inspected and found to be affected with tuberculosis.

WARBLE FLY FREE AREA ACT, R.S.N.B. c.245, 1952

Upon receipt of a petition signed by at least 75 per cent of the cattle owners in any area and with the approval of the Minister of Agriculture, the Lieutenant-Governor in Council may establish the area as a Warble Fly Free Area. The Minister shall then appoint a committee from among the owners in the area to enforce the provisions of this act and take all reasonable measures for the eradication of warble fly infestation in the area. The Minister shall appoint inspectors under the

act who may enter premises, treat infested cattle and recover the fees for treatment from the owner.

**ARTIFICIAL INSEMINATION ACT, R.S.N.B. c.11, 1952.**

The Artificial Insemination Advisory Board is to be appointed to advise the Minister of Agriculture. The Lieutenant-Governor in Council may make regulations prescribing the powers and duties of the board, providing for the licensing of artificial insemination associations and technicians, prescribing requirements and minimum standards for associations and the qualification of technicians and providing for the keeping of records and the making of returns.

**SHEEP PROTECTION ACT, R.S.N.B. c.207, 1952**

When a sheep is killed or injured by a dog, the municipality is liable to the owner of the sheep for the amount of the damage, whether the owner of the dog is known or not. However, the municipality is not liable if the sheep is killed or injured while running at large upon a public highway or is killed or injured by a dog owned by the owner of the sheep or a member of his household. Valuators are to be appointed by each municipality to assess damages. The amount of damages may be recovered by the municipality from the owner of the dog and, after being notified by the clerk of the municipality, the owner must destroy the dog within 48 hours. If he does not do so, he may be summoned before a magistrate who may order the dog to be destroyed by a constable. Provision is also made in this act for the tagging of dogs and municipalities may make by-laws to prevent dogs from running at large, for impounding them and for licensing dogs for a fee. A person may kill a dog which he finds killing or injuring a sheep and the defendant in any action of damages for killing a dog under such circumstances may plead "not guilty by Statute" and give the special matter in evidence.

**POUNDS ACT, R.S.N.B. c.174, 1952**

This act provides for the division of counties into pound districts and for the erection of pounds in these districts. It prescribes what animals may be impounded, what fees may be charged and how impounded animals shall be sold and the proceeds of the sale applied. It describes how the owners of unlawfully impounded animals may secure damages. It also describes the conditions under which the owner or person in charge of an animal shall be liable for damages if the animal breaks or escapes into any close.

**STALLION ENROLLMENT ACT, R.S.N.B. c.216, 1952**

All stallions must be enrolled annually before the owners may stand, travel or advertise them or offer them for service. Before being enrolled a stallion must be inspected and the inspectors make a report thereof to the Minister of Agriculture. Enrollment certificates shall be issued for purebred stallions only and the enrollment certificate must form a prominent part of any advertisement of the stallion. Under certain conditions the Minister of Agriculture may permit an unregistered

stallion to be used for service in a particular district.

BRANDING ACT, R.S.N.B. c.23, 1952

This act prescribes the method of applying for brands and deals with the allotting of brands and their cancellation. The act includes a table of fees and provides penalties for such offences as branding live-stock with a brand other than the owner's or defacing a brand.

SOCIETY FOR THE PREVENTION OF CRUELTY ACT, R.S.N.B. c.214, 1952; S.N.B. 1956, c.61 (am.)

The New Brunswick Society for the Prevention of Cruelty is continued. Its powers are specified and it may establish branch societies in any municipalities of the province. The act prescribes the duty of a person who finds an animal at large, and the duty of an agent of the society to destroy an animal found at large which is suffering from an incurable disease or broken limb or other cause that would incapacitate it from further use. Constables are required to assist officers of the society in enforcing the law. Agents of the society have power to seize animals in order to protect them from neglect or cruelty on the part of their owners.

POULTRY HEALTH PROTECTION ACT, R.S.N.B. c.173, 1952

Under this act the Lieutenant-Governor in Council may make regulations providing that no person may possess poultry infected with a contagious disease, prohibiting the admission of infected poultry into the province, providing that poultry will not be admitted unless certified free of disease by the Veterinary Director General (Canada), providing for the segregation and destruction, without compensation to the owner, of infected poultry and defining contagious diseases.

APIARY INSPECTION ACT, R.S.N.B. c.7, 1952.

All bees imported into the province in hives or combs and all bees among which a contagious or infectious disease exists shall be in quarantine on the premises of the owner who must notify the Minister of Agriculture within ten days and may not remove the bees or any used apiary appliances from the premises until he has been granted a certificate that the bees and appliances have been disinfected and are free of disease. No person may keep a colony of bees infected with foul brood or other infectious disease. Provision is made for the appointment of inspectors to inspect apiaries annually, instruct beekeepers in the action to be taken where disease is discovered, order the transfer of bees to movable frame hives and perform other similar duties. Special instructions to persons engaged in the rearing of queen bees are contained in the act. The spraying of trees in full bloom with mixtures containing substances injurious to bees is prohibited.

GAME ACT, R.S.N.B. c.95, 1952; S.N.B. 1953, c.20 (am.); S.N.B. 1955, c. 49 (am.).

Sections 72 to 75 inclusive of this act are concerned with fur farming. Every fur farmer is required to make an annual report to the Minister of Lands and Mines concerning the animals in his possession and sold or purchased during the year. It is forbidden without the owner's consent to approach within 25 yards of a fur ranch where animals are kept for breeding purposes or to break through the enclosure within which such animals are kept. Any person may kill any dog found lurking about an enclosure where fur-bearing animals are kept for breeding purposes and annoying or terrifying the animals.

### 3. LAND POLICY

#### (a) Development, conservation, drainage and irrigation.

#### N E W F O U N D L A N D

CROWN LANDS ACT, R.S.N. c.174, 1952; S.N. 1954, c. 57.

"An Act Respecting Crown Lands, Timber and Water Power".

Part I of this act deals, among other things, with the lease of Crown Land for purposes of agriculture, specifying the amounts of land that may be leased and the terms and conditions of leases.

The lease is for a term of five years and, provided the lessee cultivates 25 per cent of the land, he is entitled to an outright grant of the land. Land may also be leased for raising livestock or cultivating wild fruit. Further parts of this act deal with the leasing of bog lands and water power.

LAND DEVELOPMENT ACT, R.S.N. c.189, 1952

"An Act Respecting Land Development".

This act describes how tracts of land may be set aside to establish land development areas, either Crown Land or privately held land which may be purchased or expropriated. The Minister of Mines and Resources may then lay out a land development area, select settlers for it and spend money for the transfer of settlers to the area, the clearing and cultivation of land, the construction of shops, stores, sawmills, dwelling houses and outhouses and the purchase of implements, livestock, poultry, seeds and fertilizers. The act specifies how a license for occupation shall be issued to a settler for a probationary period, how a lease for five years may then be granted to him and how, if he fulfills certain conditions respecting the cultivation of the land, the settler may then be given a grant of the land.

The Act has been used exclusively for settlement of World War II veterans and to give titles to settlements established during the period 1934-39.

**ABANDONED LANDS ACT, R.S.N. c.186, 1952**

"An Act to Render Certain Abandoned Lands Available for Agriculture".

This act outlines the legal procedure whereby land granted or licensed to persons under the Crown Lands Acts which has been unused and unoccupied for forty years may be ordered to revert to the Crown. This process has not been employed to any extent.

**NOVA SCOTIA**

**LANDS AND FORESTS ACT, R.S.N.S. c.145, 1954; S.N.S. 1955, c.29 (am.)**

The Minister of Lands and Forests is given supervision over the management, lease and sale of Crown Lands, the protection of all forests and timber lands and the preservation of game and game fish. Part I of the act deals with the Crown Lands and includes reservations to the Crown of certain lands and mineral rights, the method of making grants of land for agricultural and grazing purposes and for settlement and the conditions attached to such grants. It also deals with the leasing of Crown Land for various purposes including the cutting of timber. In Part III of the act which deals with game, Sections 131 to 133 deal with fur farming. A fur farmer must have a permit from the Minister and must make certain returns annually. It is forbidden to enter a fur ranch without the owner's permission and no owner of a dog is to permit it to enter a ranch where fur-bearing animals are kept.

**LAND TAX ACT, R.S.N.S. c.144, 1954; S.N.S. 1955, c.28 (am.)**

Each year every person who is the occupant of more than 1,000 acres of land in the province must pay a tax to the province on all his land in excess of 1,000 acres at the rate of one per cent of the value of the land. The method of valuing land for this tax is specified in the act, as well as the method of assessment, the hearing of appeals from the decisions of the assessors, the method of collecting the tax, the treatment of overdue taxes, including forfeiture of lands for tax arrears, and the imposition of additional taxes and penalties. Except as otherwise provided in the act, the value of lands for the purpose of taxation is to be two dollars an acre.

**DITCHES AND WATER COURSES ACT, R.S.N.S. c.73, 1954**

This act provides that the owners of adjoining lands are to construct, improve and maintain ditches and drains in proportion to their interests in them unless the municipal engineer otherwise directs. Proper outlets must be provided for all ditches. Where an owner does not keep his section of a ditch in reasonable repair and a complaint is made to the municipal council, the engineer will examine the ditch,

report to the council, and if the complaint is well founded, the council may order the work done. The act deals with the settlement of disputes regarding ditches, the duties of the engineer in making awards and assessing for costs and the method of making appeals against the engineer's decisions.

**TILE DRAINAGE ACT, S.N.S. 1939, c.7.**

Municipalities may borrow limited amounts of money by the issue of debentures and use the proceeds to lend to owners of land to enable them to construct tile, stone or timber drains. The act specifies the terms and conditions upon which municipalities may make these loans.

**WATER ACT, R.S.N.S. 1954, c.312**

All water courses are vested in the Crown and the Governor in Council may authorize persons to use any water course or the water therein on terms within his discretion.

**MARSH ACT, R.S.N.S. c.169, 1954.**

The Governor in Council, at the request of any proprietor (includes owner, tenant, trustee and mortgagee in possession), may appoint commissioners of sewers for any county in which a marsh is situated or, if the marsh is in two counties, for the two counties jointly. A majority in interest of the proprietors of any tract of marsh may select three commissioners of sewers, who shall have no interest in the tract, to constitute a board for setting a rate under this act where necessary, for appraising compensation for damages between any proprietor and the commissioner in charge and for consultation regarding the practicability of any work. The proprietors may select from among the commissioners one person to be commissioner in charge. The latter must appoint a clerk to keep the books and accounts, a collector to collect all rates and contributions, one or more overseers to assist the commissioner in charge and auditors. The power of the commissioner in charge extends to the construction of new works and the maintenance and repair of old works and he may make contracts for the performance of the work, employ and provide workmen, machinery, tools and materials and require the proprietors to furnish workmen, teams, tools and materials in proportion to the amount to be rated upon the proprietors in the judgment of the commissioner. The act deals with the procedure to be followed before work is commenced, compensation for damages, remuneration of officers, apportionment of expenses among the proprietors, work by persons on their own land, injury to a marsh by a proprietor, claims between two tracts of marsh, union of tracts, formation of new tracts, power to borrow, appointment and duties of arbitrators, meetings of the proprietors and other similar matters.

**MARSHLAND RECLAMATION ACT, R.S.N.S. c.170, 1954.**

A Marshland Reclamation Commission may be appointed to advise the Minister of Agriculture and Marketing on matters related to the

reclamation and protection of marshland and its development and maintenance for agricultural purposes. The latter is empowered to construct, reconstruct, recondition, repair, maintain or operate works that are recommended by the Commission. The owners or occupants of marshland may petition for the creation and incorporation of the owners as a marsh body for the purpose of constructing, repairing, maintaining and operating suitable works. The act prescribes the form of organization and the powers of a marsh body and the manner of assessment and rating of the owners, the borrowing power of a body and its powers of entry and expropriation.

#### NEW BRUNSWICK

CROWN LANDS ACT, R.S.N.B. c.53, 1952; S.N.B. 1954, c.35 (am.); S.N.B. 1955, c.42 (am.)

Sections 52 to 61 of this act provide for the selection of Crown lands for settlement by farmers or for homesteads for miners and workmen. Persons eligible to apply for settlement lots are males resident in the province, over 18 years of age, who do not own any land in the province suitable for cultivation and have not previously secured a grant of Crown land and have not had a settlement lot approved to them. A grant suitable for farming may not exceed 110 acres and the person receiving a land grant may not sell any part of it before the expiration of six years. Some of these provisos may be waived for war veterans. Sections 65 and 66 deal with the leasing of Crown lands for grazing, growing small fruits, maple sugaries, fur farms and other purposes.

DRAINAGE OF FARM LANDS ACT, R.S.N.B. c.65, 1952

When a farm drainage ditch must run through the property of an adjacent owner, application may be made to the municipal council who will appoint a civil engineer or land surveyor to investigate and report upon the need for the drainage, the damage which will be done to the land through which it will be done, the estimated cost, the value of the drainage to the land served by the ditch and the amount that should be assessed upon each property which will receive benefit from the drainage. If no agreement is obtained among the owners whose land is affected, the council may make an order which will be binding on all parties concerned.

TILE DRAINAGE LOANS ACT, R.S.N.B. c.229, 1952

The Tile Drainage Board is established as a body corporate and politic for the purpose of making loans to farmers to enable them to construct tile, stone or timber underdrains. All loans are to be made on the security of mortgages of the farm lands on which the drains are constructed. The amount loaned to any one farmer or in respect of any one farm shall not exceed \$1,000 or 75 per cent of the cost of the drainage works for which the loan is made. A loan shall be repayable in equal annual instalments over a period of not more than ten years. The rate of interest is to be determined by the Lieutenant-Governor in Council.

MARSHLAND RECLAMATION ACT, R.S.N.B. c.141, 1952; S.N.B. 1954, c.59 (am.)  
S.N.B. 1956, c.46 (am.)

A Marshland Reclamation Commission may be appointed by the Lieutenant-Governor in Council to advise the Minister of Agriculture regarding the reclamation and protection of marshland and its development and maintenance for agricultural purposes, to examine proposals for the construction, repair, maintenance or operation of works and make recommendations to the Minister thereupon. The Minister may construct, repair and operate works recommended by the Commission and may enter into agreements with Canada, a Marsh Body (described below), the Hillsborough Marshland Commission or a person for the construction, reconditioning, repairing and operating of works at the joint expense of the parties to the agreement. Upon petition of two-thirds of the owners of an area of marshland who own at least half the area, the Minister may grant a Certificate of Incorporation to the owners in the area creating a Marsh Body. The Certificate may be issued, however, only if recommended by the Commission. A Marsh Body is empowered to acquire, hold, sell and lease real and personal property; construct, recondition, repair, maintain and operate works; enter into agreements with the province or any person for the construction, reconditioning, repair, maintenance and operation of the works and raise money by borrowing or by the levying of assessments. The act provides for an executive committee for each Body and deals with elections, the conduct of meetings, budgets, the special reserve fund, assessments, powers of entry and expropriation and by-laws.

SEWERS AND MARSHLAND ACT, R.S.N.B. c.206, 1952

No work is being performed under this act. It is superseded by the Marshland Reclamation Act.

HILLSBOROUGH MARSHLAND DISTRICT ACT, R.S.N.B. c.104, 1952; S.N.B. 1956, c.39 (am.)

This act has been superseded by the Marshland Reclamation Act.

WATER RESOURCES AND POLLUTION CONTROL ACT, S.N.B. 1956, c.14.

A Water Resources and Pollution Control Board may be appointed by the Lieutenant-Governor in Council to study the extent of pollution of the major watersheds of the province and its effect upon, among other things, agriculture and to make recommendations to the government to control pollution.

ABANDONED LANDS ACT, R.S.N.B. c.1, 1952.

Whenever it appears to the Minister of Lands and Mines that land in the province has been abandoned and the whereabouts of the registered owner or his heirs or next-of-kin are unknown, the Minister may take proceedings to revest the land in the Crown. The act prescribes the notice that must be published, how claims to the land are to be filed and what the order in council re vesting the land must contain.

(b) Settlement

N E W F O U N D L A N D

Veterans Land Settlement Act, R.S.N. c.190, 1952

"An Act to Authorize the Execution on behalf of Newfoundland of an Agreement between the Government of Newfoundland and the Government of Canada for the Settlement of Veterans on Provincial Lands and for other Purposes".

This act authorizes the Minister of Mines and Resources to enter into an agreement with the Government of Canada for the settlement of veterans on provincial lands according to the terms of the Veterans' Land Act (Canada) and provides for reserving areas of the Crown Lands for this purpose.

P R I N C E E D W A R D I S L A N D

RE-ESTABLISHMENT ASSISTANCE ACT, R.S.P.E.I. 1951, c.140; S.P.E.I. 1956, c. 35 (am.)

The Lieutenant-Governor in Council may make regulations for the administration of any fund which may be provided to assist in the re-establishment of needy farmers and fishermen. These may provide among other things, for the purchase of suitable land and its allocation to farmers' sons or other young men who give promise of becoming competent farmers, the provision of livestock, seed and fertilizer to operate these farms, the provision of instruction for these assisted farmers and, in general, the carrying out of any measures which are necessary for the rehabilitation of substandard farms and the assistance of necessitous farmers.

N O V A S C O T I A

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.)

The Nova Scotia Land Settlement Board is continued with the organization set forth in Part XIX of this act. Its purposes and duties are to acquire, hold and dispose of farms and subdivide agricultural land, to acquire, hold and dispose of livestock, agricultural machinery and equipment, to erect buildings, make permanent improvements and carry on farming operations, to enter into any agreement with the Government of Great Britain, of Canada or of any part of the British Empire, or with any organization, public or private, for the settlement or operation of lands in the province, to acquire expropriated land from the province to encourage farm settlements and to approve or reject applications for the purchase of farms, stock , agricultural machinery or equipment. The selling price of any property to a settler must not exceed its cost

to the Board, no agreement of sale may be made for more than \$8,000 or for a longer term than 30 years or extend beyond the 65th birthday of the settler, the interest rate may not exceed five per cent and there are other terms specified. Under this part of the act a settler means any male person who is a Canadian citizen or who has satisfied the Board of his intention to become a Canadian citizen, who is between the ages of 21 and 50 and who has had at least two years practical experience at farm work.

(For summaries of other parts of this act, see under "Administration", "Agricultural Societies and Education," "Production-Crops," "Production-Livestock," "Marketing-General" and "Marketing-Livestock and Livestock Products.")

AN ACT TO ASSIST THE SOLDIER SETTLEMENT ACT, S.N.S. 1919, c.22.

The Governor in Council is authorized to make agreements with the Soldier Settlement Board created by the federal parliament in 1917 and make available to the Board any lands owned or acquired by the province.

N E W B R U N S W I C K

FARM SETTLEMENT ACT, R.S.N.B., c.80, 1952; S.N.B. 1955, c.48 (am.); S.N.B. 1956, c.35 (am.)

The Farm Settlement Board is constituted as a body politic and corporate under the direction of the Minister of Agriculture. The Board may purchase and hold real estate suitable for farming purposes and improve it, erecting houses and buildings thereon, and purchase livestock and farm equipment, provided the cost of any one farm including improvements shall not exceed \$10,000 for any one person or \$15,000 in the case of a partnership. This real estate, livestock and equipment may be conveyed to bona fide settlers at a price not exceeding the cost to the Board upon the condition that not less than 25 per cent of the purchase price be paid at once by the purchaser and that the remainder be paid in equal installments of principal and interest. Interest will be charged at the rate of three per cent if the period of repayment is not more than 15 years and at five per cent if the period is greater than this. The act contains a number of provisions regarding the titles to land, repossession by the Board and devolution of the rights of a deceased purchaser. A special section deals with the conveyance of land by the Board to junior farmers, i.e. persons between 21 and 30 years of age who are sons of farmer residents and who have had at least five years farming experience. The Board may loan money to any purchaser of farm property for the purchase of livestock and farm machinery up to 50 per cent of their appraised value, provided no loan for any one farm exceeds \$2,500. The interest rate on these loans is four per cent for loans up to and including five years duration and five per cent for loans of longer duration.

SOLDIER SETTLEMENT ACT, R.S.N.B. c.215, 1952.

This act describes how Crown and privately owned lands may be granted to the Soldier Settlement Board for conveyance to World War I veterans.

(c) Tenure and assessment

N E W F O U N D L A N D

REGISTRATION OF DEEDS ACT, R.S.N. c.141, 1952; S.N. 1955, c.29 (am.);  
S.N. 1956, c.6 (am.)

"An Act Respecting the Registration of Deeds and Other Documents".

This act provides for a registry for deeds and other documents for the province, describes how registration shall be made and the effect of it. It deals with searches and appends a schedule of fees.

P R I N C E E D W A R D I S L A N D

REGISTRY ACT, R.S.P.E.I. c.143, 1951; S.P.E.I. 1956, c.36 (am.)

This act provides for the appointment of registrars, describes how the registry books shall be kept, prescribes the proof necessary for registry, prescribes the duties of registrars, provides for searches and copies, describes the effect of non-registration, deals with assignments and releases and descriptions of lands and similar matters.

LANDLORD AND TENANT ACT, R.S.P.E.I. c.82, 1951

This act deals with the relationship between landlord and tenant in connection with leases and tenancies and is concerned with covenants, waste by tenants, defects in leases, licenses to tenants, forfeiture of leases, notices to terminate tenancies, renewals of leases, distress for rent and the proceedings thereunder and ejection proceedings. Section 31 provides that there may be taken under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, livestock and other domestic animals which are grazing, pasturing or feeding upon any highway or way belonging or appertaining to the premises in respect of which the rent distrained for is payable. Section 35 provides that any sheaves or cocks of grain, or grain loose, or in the straw, or hay, lying or being in any barn or granary or otherwise upon the land charged with the rent may be distrained. Section 36 to 38 provide that growing crops distrained for rent may be cut, gathered, cured, threshed and laid up in the barns or other places on the demised premises or on nearby premises by the landlord or the growing crops may be sold by the landlord without being reaped, threshed or marketed.

DIVISION FENCE ACT, R.S.P.E.I. c.43, 1951

It is the duty of every owner or occupier of land which adjoins improved, cultivated or enclosed land of another person to build and keep in repair his proper part or proportion of fencing at least four feet high between his land and the adjoining land. If the owner or occupier neglects or refuses to do this, after 20 days notice, the owner or occupant of the adjoining land may apply to two fence viewers for the township. Fence viewers are appointed by any judge of the Supreme Court of the province. The fence viewers shall view the fence and they may apportion the duty to build or repair the fence and ten days after this the applicant may cause the fence to be built or repaired and submit an account of the cost to the fence viewers. If the fence viewers approve the cost incurred, the applicant may take action in any court of competent jurisdiction to recover the share of the cost allotted to the owner or occupier of the adjoining land and he is entitled to recover double the amount as liquidating damages, together with the fees of the fence viewers and the costs of the action.

EXPROPRIATION ACT, R.S.P.E.I. 1951, c.53.

This act sets forth the terms and conditions under which the province may expropriate land for any public work.

N O V A S C O T I A

REGISTRY ACT, R.S.N.S. c.248, 1954.

Registration districts are established with a registrar of deeds in each. The act describes the duties of registrars, how registration of instruments is to be made, the effects of registration, the discharge of registered instruments and other similar matters.

LAND TITLES ACT, S.N.S. 1904, c.47; S.N.S. 1908, c.62 (am.).

"An Act Respecting the Registration of Titles to Land".

A Master of Titles may be appointed for each registration district to hear and determine all applications under this act for the registration of title to land. The act presents in detail how applications are to be received and registered, the effect of registration, how registered land is to be transferred, mortgaged, held in trust and expropriated and the assurance charges that may be levied at registration.

OVERHOLDING TENANTS ACT, R.S.N.S. c.208, 1954

This act sets forth the remedies open to a landlord when a tenant refuses to go out of possession of the land demised to him after his tenancy has ended. It outlines the procedure to be followed in securing action by the courts and also deals with appeals against the decisions of the courts.

FENCES AND IMPOUNDING OF ANIMALS ACT, R.S.N.S. c.97, 1954

Part of this act deals with fences, prescribing the construction and height of lawful fences and providing for appeal from the judgment of fence viewers. The act also deals with the duties of owners of adjoining land with regard to partition fences and the action that may be taken when one owner neglects or refuses to build or maintain his proportion of the fencing. The duties of fence viewers and their rates of remuneration are given.

(For a summary of the remainder of this act, see under "Production - Livestock".

EXPROPRIATION ACT, R.S.N.S. c.91, 1954.

This act provides that the minister having supervision of public works may purchase, acquire or expropriate any land which he may deem necessary for, among other purposes, encouraging farm settlements in the province. The act lays down the procedure to be followed in expropriation and deals with compensation claims and awards.

COMMON FIELDS ACT, R.S.N.S. c.39, 1954

This act deals with the boundaries and fences between lands individually owned and common lands, how they are to be maintained and repaired. If any proprietor in a common field desires to have his part separately fenced, he must bear the cost, unless otherwise agreed to by two-thirds in interest of the proprietors. Proprietors of common fields must hold an annual meeting and may make regulations enforceable at law. They must appoint a committee of not less than three or more than five to execute their regulations and they may assess the proprietors for necessary works. The brands of animals using the common field must be entered in the book of regulations of the common field.

ANGLING ACT, R.S.N.S. c.9, 1954.

Any resident of the province has the right to go on foot along the banks of any river, stream or lake across any uncultivated lands for the purpose of fishing with rod and line. The owner may be compensated only for actual damages caused by the person crossing his land for this purpose. However, this right shall not apply to the land of an occupant licensed for fishing rights by the municipal council.

PUBLIC HIGHWAYS ACT, R.S.N.S. c.235, 1954

Section 32 of this act requires that all physically fit male persons between the ages of sixteen and sixty, residing within every road section or division, are required to work with their shovels on the highways during the winter whenever the highways become impassible from snow. Persons in regular attendance at any public school are not required to do this work during school hours. The overseer of each road section may order the persons required to work to attend for the work either forthwith or at any time or hour of the day that the overseer designates. A person ordered

to work may provide a competent person to work in his place or pay a tax of five dollars per day for the use of the municipality for snow removal. Upon petition of a majority of persons in a road section, the expense of snow removal may be levied by the municipal council as a charge upon the ratepayers of the area.

Section 40 of this act prohibits, without consent, the erection of a building within 100 feet of a highway boundary or 133 feet of the centre line of the travelled portion of a highway. Section 42 permits the Minister of Highways and Public Works to order the entry of private lands to construct, repair or maintain drains along public highways. Section 43 prohibits the owner or occupant of land permitting water from his land to flow upon the highway and makes him liable for damage incurred thereby.

ASSESSMENT ACT, R.S.N.S. c.15, 1954.

Section 3 of this act exempts from municipal taxation the property of agricultural societies, farming implements to the value of \$200 and the produce of any farm belonging to the person who raised or produced the same.

#### NEW BRUNSWICK

REGISTRY ACT, R.S.N.B. c.195, 1952; S.N.B. 1955, c.70 (am.); S.N.B. 1956, c.56 (am.)

This act establishes a registry office in each county, prescribes the duties of the registrar and describes how instruments affecting lands are to be registered and the effect of such registration. A schedule of fees is appended.

LANDLORD AND TENANT ACT, R.S.N.B. c.126, 1952; S.N.B. 1954, c.51 (am.); S.N.B. 1955, c.58 (am.)

Section 25 of this act provides that a landlord may take under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, livestock and other domestic animals which are grazing upon any highway or road allowance. Sections 30 and 31 provide that a landlord may distrain sheaves or cocks of grain or grain loose or in the straw or hay, lying in any barn or granary which is on any part of the land charged with the rent and he may take growing crops as a distress for rent. Sections 32 and 33 allow the landlord who takes growing crops as a distress for rent to harvest and sell them or to sell them standing. The act, in general, covers the relationship between landlord and tenant and deals with such matters as covenants running with the land and the reversion, waste by tenants, defects in leases, rights of re-entry, licenses to tenants, forfeiture of leases, notices to terminate tenancies, distress for rent, impounding distrainable goods taken on execution, renewals of leases, proceedings against overholding tenants and summary proceedings for non-payment of rent.

FENCES ACT, R.S.N.B. c.84, 1952.

This act defines lawful fences and deals with damages resulting from the construction of unlawful fences. It also deals with the liability of owners of adjoining lands concerning line fences, the method of settling line fence disputes and the rights, duties and fees of fence viewers.

4. FARM CREDIT

N E W F O U N D L A N D

FARM DEVELOPMENT LOAN ACT, 1953, S.N. 1953, c.29.

"An Act to Create a Farm Loan Board and to Provide Loans for Farm Development".

The Farm Development Loan Board is established as a body corporate to administer the Farm Development Loan Fund. The board may make loans or advances for the purpose of improving and developing the agricultural industry of Newfoundland but only under the terms and for the purposes prescribed by its regulations which are subject to approval by the Lieutenant-Governor in Council. The act lists the kinds of regulations which may be made.

P R I N C E E D W A R D I S L A N D

POTATO CROP MORTGAGE ACT, R.S.P.E.I., c.113, 1951.

No mortgage or other lien upon any growing crop of potatoes is valid unless it is executed as security for the purchase price and interest thereon of seed potatoes or fertilizer or as a security for the performance of an agreement to sell or deliver potatoes in consideration of the sale or delivery of seed potatoes or fertilizer. The mortgage or other lien must be given upon a crop of potatoes which is sown within one year of the date of execution of the mortgage or lien. The seed or fertilizer mortgage will rank prior to other liens.

SEED GRAIN SECURITY ACT, R.S.P.E.I. c.147, 1951.

A memorandum of security for the purchase price of seed grain, if executed in favor of the Provincial Treasurer, is a first charge upon the lands described in the memorandum, except only for the school district land tax; if executed in favor of a mortgage or unpaid vendor, it ranks equally with his existing security by way of mortgage or vendor's lien and payment may be enforced in the same manner as the mortgage or sale agreement. Provision is made for the Provincial Treasurer to sell land upon which payment of the sum secured is in default.

JUDGMENT AND EXECUTION ACT, R.S.P.E.I. c.78, 1951; S.P.E.I. 1952, c.24 (am.)

Section 26 of this act provides that the following chattels shall be exempt from seizure under a writ of execution: the necessary wearing apparel, beds and bedding of the debtor and his family, and the tools and implements of his trade or occupation, one cooking stove, fuel and food for the ordinary use of the debtor and his family, and one cow, not exceeding in all the value of one hundred dollars.

N O V A S C O T I A

TENANCIES AND DISTRESS FOR RENT ACT, R.S.N.S. c.287, 1954.

This act is concerned with the procedure to be followed in distraining goods for non-payment of rent and the types of goods that may or may not be seized. Sheaves or cocks of grain, grain loose or in the straw, hay in a barn or upon a hovel, stack or rick, or upon the land charged with the rent may be locked up or detained upon the premises by the landlord. Corn, grain, grass, hops, roots, fruits, pulse or other products growing on any part of the demised premises may be seized and the landlord may cut, gather, cure, carry and lay up the same, when ripe, in barns or other places on the premises or on other premises nearby. Any cattle or stock of the tenant feeding upon any common belonging to any part of the premises demised, may be seized as a distress for rent in arrear and due. The following goods are exempt from distress for rent, in addition to the wearing apparel, beds and household furnishings customarily exempt: all necessary fuel, meat, fish, flour and vegetables, actually provided for family use sufficient for the ordinary consumption of the debtor and his family for 30 days and not exceeding \$40 in value; one cow, two sheep and one hog, and food therefor for 30 days; and tools, implements and chattels ordinarily used in the debtor's occupation to the value of \$30.

JUDICATURE ACT, 1950 (Authorized by S.N.S. 1949, c. 11 and proclaimed Oct. 19, 1951)

Order XL, Rule 40, of this act exempts from seizure under a writ of execution, in addition to certain wearing apparel, household furnishings and food, the following; one cow, two sheep and one hog and food therefor for 30 days, and the tools and implements of, or chattels ordinarily used in, the debtor's occupation to the value of thirty dollars.

OF THE SUPPLY OF CATTLE FEED AND SEED GRAIN TO POLLING DISTRICTS,  
R.S.N.S. 1923, c.111; S.N.S. 1925, c.59 (am.); S.N.S. 1926,  
c.40 (am.)

This act is inoperative.

## NEW BRUNSWICK

### MEMORIALS AND EXECUTIONS ACT, R.S.N.B. c.143, 1952.

Section 33 of this act provides that the following goods are exempt from seizure under execution in addition to the household furnishings and wearing apparel customarily exempt; all necessary fuel, meat, fish, flour and vegetables actually provided for family use and required for ordinary consumption by the debtor and his family for three months and not exceeding \$100 in value; two horses and sets of harness, two cows, ten sheep, two hogs and 20 fowl, and food therefore for six months; tools, agricultural implements or chattels, ordinarily used in the debtor's occupation, to the value of \$200; and seed grain and potatoes for seeding and planting purposes to the following quantities: 40 bushels of oats, ten bushels of barley, ten bushels of buckwheat, ten bushels of wheat and 35 barrels of potatoes.

### NEW BRUNSWICK FARM LOAN ACT, S.N.B. 1928, c.43.

This act is now inoperative.

### FARMERS RELIEF ACT, R.S.N.B. c.81, 1952.

This act is now inoperative.

## 5. MARKETING

### (a) General

## NEWFOUNDLAND

### NEWFOUNDLAND AGRICULTURAL MARKETING ACT, R.S.N. c.193, 1952.

"An Act Respecting an Organization for the Marketing of Agriculture Produce".

This act is inoperative.

### FOOD AND DRUGS ACT, R.S.N. c.56, 1952; S.N. 1953, c.32 (am.)

"An Act Respecting Food and Drugs".

The Minister of Health may make regulations prescribing the manner in which food intended for human consumption shall be prepared, stored, transported, exposed for sale and delivered; prohibiting or restricting or prescribing the addition of any substance to any food and prescribing standards of quality or composition for food; requiring every owner or manager of places where food is sold for consumption on the premises to make returns of the names, addresses and description of persons employed on the premises; and appointing analysts.

Penalties are provided for selling unsound food and inspectors are empowered to examine and seize unsound food. They may also examine food in transit. The Minister may also require the licensing of premises and prescribe standards of lighting, ventilation and sanitary arrangements in the following trades: preparation and sale of foods for consumption on the premises, the preparation and sale of cooked foods other than the sale of tinned, canned and bottled food, manufacture and sale of bottled beverages, cold storage, slaughtering of animals, sale of meat, manufacture and sale of sausages, production or preparation for sale of milk, butter or cream, sale of milk or cream, manufacture and sale of butter substitutes, ice cream, jams, jellies and preserves and the preparation and packing for sale of food in tins, jars or bottles or otherwise hermetically sealed. Within a licensing area no animal shall be slaughtered for food except in an approved building. Medical inspection of persons employed where food is prepared or sold may be required. The sale of certain meats is prohibited and there are provisions prescribing protection for food exposed for sale or being transported and dealing with the handling of cold storage goods. Regulations made under Section 3 of this act prescribe certain minimum and maximum vitamin and mineral standards for white wheat flour sold, held for sale, offered or exposed for sale in the province. The required calcium level is to be attained by the addition of edible bone meal. The regulations do not apply to whole wheat flour, graham flour, farina, special cake flour, cake mixes and pancake flour.

HEALTH AND PUBLIC WELFARE ACT, R.S.N. c.51, 1952; S.N. 1954, c.22 (am.)  
S.N. 1956, c. 31 (am.)  
"An Act Respecting Health and Public Welfare".

In Section 13 of this act the Minister of Health may make rules and regulations concerning, among other matters, the testing of cattle for tuberculosis and the prohibition of the use or sale of milk from cows suffering from tuberculosis and of the use, sale or exposing for sale of the flesh of animals affected by such disease, or any other disease which, in the opinion of the Deputy Minister of Health, renders the flesh of such animals unfit for human consumption.

CONTROL OF FOODS (Distribution) Act, R.S.N. c.30, 1952.

"An Act Respecting Restrictions on the Distribution of Certain Foods".

This act was a war measure and is no longer operative.

#### P R I N C E   E D W A R D   I S L A N D

MARKETING ACT, S.P.E.1956, c.23.

The Lieutenant-Governor in Council may establish plans for the control and regulation within the province of the marketing of any agricultural product and constitute commodity producer marketing boards to administer such plans, vesting in these boards the powers necessary

to enable them to effectively control and regulate the marketing of the designated products in the province. A plan may cover the whole province or a designated area of the province. A plan does not become operative until it has been approved by an affirmative vote of 66-2/3 per cent of the persons voting within the area to which the plan applies. A temporary plan may be established but a vote must be taken not less than six months and not more than eighteen months after the plan has been put into operation.

The powers granted to a producer board may include, among other matters, the power to designate the time and place at which and to designate the agency by or through which any regulated product is to be marketed, to designate the manner of distribution, the quality and quantity, grade or class of the regulated product that is to be marketed by the designated agency at any time, the power to require all persons engaged in the marketing of the product to be licensed and provide guarantees of financial responsibility and to register their names and addresses with the board and to supply necessary statistical information and to make periodic returns and to permit their books and premises to be inspected, the power to fix license fees, the power to fix prices, or maximum or minimum prices, or both, at which the regulated product or any grade, variety or class of it may be bought or sold, otherwise than by retail to consumers in the province or that will be required to be paid for the product by a designated agency, to fix different prices for different parts of the province or area and to determine the maximum spread that dealers or any designated agency may add to the price or prices paid by them for the product, the power to seize, remove and dispose of any products kept in violation of an order of the board, the power to impose charges on a per unit basis for the services of a board, the power to conduct pools for the distribution of moneys received from the marketing of a designated product and distribute the proceeds according to the plan and the power to co-operate with a marketing board, local board or agency of any other province. The board may have other financial powers. Provision is also made for a voting procedure to terminate marketing plans.

Marketing is defined as including buying, owning, selling, storing, offering for sale, shipping for sale or storage, advertising, financing, assembling, packing, processing and transportation.

Provision is made for co-operation by producer boards with federal marketing authorities.

No producer board or agency may restrict, limit or prohibit the production of any agricultural product or discriminate against any producer to the unjust advantage of any other producer or producers. Fines are provided for failure to comply with the regulations and orders of a producer board. The Minister of Agriculture is charged with the administration of the act.

PUBLIC HEALTH ACT, R.S.P.E.I. c.129, 1951; S.P.E.I. 1953, c.38 (am.)

Section 5(7) of this act provides that the government may make regulations for the licensing, inspection, construction, furnishing, equipping, maintaining, cleaning and disinfecting of all slaughter houses and

other places where animals are killed and their flesh prepared for sale or to be used as food. Section 7(13) provides for the regulation of the situation, equipment, sanitation, management and maintenance of all creameries, dairies and market gardens. Section 7(21) deals with the prohibition of the use or sale of milk from cows suffering from tuberculosis and of the use or sale of the flesh of animals affected by that disease. Section 7(30) provides for control of the standards and quality of milk and milk products which are offered for sale and of the sanitation of production and processing methods thereof. Section 44 prohibits the handling of food offered for sale by persons having a communicable disease and authorizes Health Officers to require persons handling food to be medically examined. Under Section 51, local Boards of Health may provide for the inspection of milch cows and cow byres, dairies, cheese factories, creameries and similar establishments. Under Section 52, all slaughter houses shall be regularly inspected under the local Board of Health as well as all animals being slaughtered.

"AN ACT TO PROVIDE ASSISTANCE TOWARDS THE ESTABLISHMENT OF INDUSTRIAL PLANTS FOR THE PROCESSING OF AGRICULTURAL, HORTICULTURAL AND FISHERIES PRODUCTS WITHIN THE PROVINCE". S.P.E.L1954, c.18; S.P.E.I., 1955, c.21 (am.)

The Lieutenant-Governor in Council is authorized to grant assistance towards the establishment of industrial plants within the province for the purpose of processing agricultural, horticultural and fisheries products by way of outright grant or loan or by guaranteeing loans or by a combination of these forms. The assistance may be granted separately or in conjunction with the Industrial Development Bank of Canada or other federal department or agency. No assistance shall exceed 50 per cent of the cost of any plant or extension. Terms and conditions may be attached to assistance including security to be taken, terms of repayment, rate of interest to be charged, furnishing of returns and audit. The aggregate of all loans grants or guarantees is not to exceed \$1,000,000. The Minister of Agriculture has been charged with the administration of the act.

#### NOVA SCOTIA

NATURAL PRODUCTS MARKETING ACT, R.S.N.S. c.198, 1954.

Provision is made for the establishment of the Nova Scotia Marketing Board as a body corporate. The Board is to investigate, arbitrate and adjust disputes between producers, distributors or transporters of natural products (live, dressed or processed sheep, swine and poultry, apples, strawberries, tomatoes, potatoes, eggs, dairy products and wool); investigate the cost of producing, distributing and transporting any natural products, prices, price spreads, trade practices and other matters relating to the marketing of natural products; establish local boards for the purpose of carrying out any marketing scheme; establish price negotiating agencies in connection with any scheme and adopt or determine fair or minimum prices for any regulated product; require persons engaged in producing or marketing a natural product in an area designated by

the Board to register with the Board; require persons to permit inspection of their vehicles; co-operate with any board or agency established under any Dominion Act or any Provincial Act concerned with the marketing of any natural product and to act conjointly with any such board or agency; require the furnishing of security or proof of financial responsibility by any person engaged in the marketing of a regulated product; accept and exercise all powers of regulation in relation to the marketing of a natural product outside the province in interprovincial and export trade that are conferred upon it by or pursuant to any Act of the Parliament of Canada and for the purpose of such regulation to exercise all the powers conferred upon the Board by this act; and deal with other similar matters. The Board may delegate powers to a local board. Provision is made for the establishment of schemes for the promotion, control, regulation or prohibition of the marketing of any natural product and the constitution of local boards to administer such schemes. However, no scheme is to be established unless it is recommended and approved by such proportion of the producers or those engaged in marketing the product as the Board deems satisfactory.

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.)

Part XVII of this act empowers the Governor in Council to make regulations classifying and establishing grades for any product and fixing the differences between the prices of different grades of cream; with respect to packages and containers and providing for the inspection, grading, packaging, marking, shipping, advertising and selling of products within the province; for the registration of packers, persons assembling products, brokers, commission agents and dealers; and prescribing the powers and duties of inspectors. "Products" includes animals, meats, eggs, poultry, dairy products, fruit, fruit products, vegetables, vegetable products, maple products, honey and such other natural products of agriculture as the Governor in Council may designate and articles of food or drink wholly or partly manufactured or derived from any designated products. The powers of inspectors are prescribed and penalties are provided for infractions of this part of the act and the regulations made thereunder. Inspectors of the federal Department of Agriculture are appointed provincial inspectors for the purposes of this act. (For summaries of other parts of this act, see under "Administration," "Agricultural Societies and Education", "Production-Crops," "Production-Live Stock," "Marketing-Livestock and livestock products" and "Land Policy".

PUBLIC HEALTH ACT, R.S.N.S. c.234, 1954; S.N.S. 1956, c.37 (am.) (amendment not yet proclaimed).

Section 25 (4) (1) of this act gives local Boards of Health power to regulate the quality, kind, cleanliness, production, care, handling, storage, transportation and sale of milk, cheese, cream and ice cream, produced for sale, offered for sale or delivered within the territorial jurisdiction of the Boards. Section 46 (3) lays upon municipal sanitary inspectors the duty of inspecting dairies, creameries, slaughter houses, food shops, bakeries and vehicles and containers used to carry food. Sections 82 to 94 deal with milk and dairy products, prescribing

the minimum standards of quality of milk, cream, ice cream and other dairy products, prohibiting the sale of milk that is adulterated or from infected cows or from cows not properly fed, providing for cleansing and sterilizing of containers, the proper storage of milk and cream and the conduct of milking in a sanitary manner. These sections prescribe the method of pasteurization and the bottling of milk and the capping of milk bottles and prohibit the sale of milk more than 36 hours after pasteurization. They also provide for inspection of the whole process of pasteurization and bottling.

MERCHANDISE INSPECTION ACT, R.S.N.S. c.175, 1954.

Among other matters this act prescribes standard weights for loaves of bread and provides for the marking of each loaf or its wrapper with the weight of the loaf and the name of the maker. The rest of the act is now inoperative.

COLD STORAGE PLANTS LOAN ACT, R.S.N.S. c.36, 1954.

The Governor in Council may make loans to any person, partnership, company or association of persons for the purpose of erecting, acquiring, owning or operating a cold storage plant or plants. Repayment must commence within three years of the date of the loan, at least 50 per cent of the loan is to be repaid within ten years and the period of the loan shall not exceed 20 years. A loan must be secured by a first mortgage. Regulations may be made prescribing the rate of interest and other conditions attached to loans under this act. Regulation No. 4 provides that a loan may be made for the purpose designated by the act to an amount not more than 50 per cent of the sum to be expended as determined for the purposes of fixing a subsidy under the federal Cold Storage Act.

MUNICIPAL CORPORATIONS' SUPPLEMENTARY POWERS ACT, R.S.N.S. 1954, c.190.

Part IX permits municipalities to continue and establish public markets, to regulate and control them, to apply rents and penalties for users of the markets and to receive the accounts of keepers and clerks of markets.

N E W B R U N S W I C K

NATURAL PRODUCTS CONTROL ACT, R.S.N.B. c.156, 1952; S.N.B. 1954, c.63 (am.).

The Natural Products Marketing Board is established as a body corporate with power to investigate, arbitrate and settle any dispute between producers, processors, distributors or transporters of natural products (fish, animals, meats, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other products of agriculture and of forest, sea, lake, or river as may be designated by the Lieutenant-Governor in Council),

investigate the cost of producing, processing, distributing and transporting any natural product, prices, price spreads, trade practices, grading policies and other matters concerning marketing, recommend any plan to the Minister of Agriculture and empower a local board to borrow money. Upon receiving a petition from a sufficiently representative group of persons engaged in the marketing of a natural product, the Board may recommend to the Lieutenant-Governor in Council the establishment of a local board to market the product. Each local board is to be a body corporate and may be granted power to regulate the time and place at which and to designate the agency by or through which a regulated product shall be marketed; regulate the manner of marketing; regulate the quantity and quality, grade or class of a regulated product which may be marketed; require that all persons engaged in the production or marketing of a regulated product be licensed; collect license fees; fix the prizes, maximum or minimum or both, at which a regulated product may be bought and sold; seize a regulated product suspected of being kept, transported, stored or marketed in violation of an order of the board; co-operate with any Canadian Board or Provincial Board to regulate the marketing of a natural product and make similar regulations.

NATURAL PRODUCTS GRADES ACT, R.S.N.B. c.157, 1952.

The Lieutenant-Governor in Council may make regulations classifying and establishing grades of each kind of product (fish, animals, meat, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other products of agriculture and of the forest, sea, lake or river as may be designated by the Lieutenant-Governor in Council), with respect to packages and containers or the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of products, prescribing fees for inspection, registration and licensing of packers, brokers, commission agents and dealers and with respect to the cleanliness and sanitation of premises in which products are assembled, graded or packed. Inspectors appointed under the act are given power to enter premises, require the production of records, inspect products and vehicles, take samples and detain products. Penalties are provided for infractions of the act.

HEALTH ACT, R.S.N.B. c.102, 1952; S.N.B. 1954, c.43 (am.); S.N.B. 1955, c.51 (am.)

Section 6 of this act empowers the Minister of Health and Social Services, among other matters, to provide for and regulate the inspection, situation, method of construction, equipping, sanitary management, cleansing, disinfecting and licensing of slaughter houses and other places where animals are killed and their meat prepared for sale, canneries, warehouses, cold storage, freezing and warehousing plants, creameries, dairies, cowsheds, stables, market gardens, henneries, cheese and butter factories and places for the manufacture or sale of any dairy or food products. He may also provide for the pasteurization and processing of milk and milk products and the equipment and standards therefor.

"AN ACT TO ASSIST IN THE MARKETING OF NATURAL PRODUCTS, S.N.B. 1939, c.48

The Lieutenant-Governor in Council may by order in council enact as a law of the province, insofar as it is within the jurisdiction of the province, any law of the Government of Canada passed for the purpose of regulating the marketing of any natural products of Canada. He may also enact such laws, by order in council, as may be deemed necessary or desirable to regulate the marketing of natural products of New Brunswick.

(b) Livestock and livestock products

N E W F O U N D L A N D

POULTRY AND POULTRY PRODUCTS ACT, R.S.N. c.192, 1952; S.N. 1956, c.16 (am.)  
"An Act Relating to Poultry and Poultry Products."

This act provides for the appointment of a Commissioner and other officials to investigate and report on the marketing of any poultry (domestic fowl, guinea fowl and pigeons) or poultry product (live poultry, dressed poultry, eviscerated poultry and eggs) whether produced in Newfoundland or imported into the province. A permit is required to operate a hatchery, every hatcheryman is required to submit for approval prior to publication all catalogues, circulars, advertisements, etc. which he proposes to issue and an inspector may enter any hatchery, premises or vehicle to inspect poultry and poultry products, require the production for inspection of books and records, take samples, delay shipments, seize and detain poultry or poultry products which have been produced, packed, branded, labelled or shipped in violation of this act and take other similar action. The Lieutenant-Governor in Council may make regulations prescribing standards of quality and grades; respecting inspection, grading, packing, labelling, branding, and marking; prescribing types, size and specifications of packages, packing material and methods of packing; respecting shipping and transporting; prescribing the manner in which the seller or shipper shall identify lots of individual producers for grading purposes; providing for the issuance and cancellation of licenses; prescribing measures respecting sanitation; permitting registration under any Federal Hatchery Approval Policy by any person operating a hatchery; prescribing a program to be known as the Poultry Improvement Program for the improvement of poultry stock and the eradication of disease therein and concerning a number of similar matters.

BRITISH NORTH AMERICA ACT, 1949, c.22 (Act of the Parliament of the United Kingdom).

Section 46 of the Terms of Union between Canada and Newfoundland confirmed and legalized by Section 1 of the British North America Act, 1949, provides that oleomargarine or margarine may be manufactured or sold in the Province of Newfoundland after the Union and the Parliament of Canada shall not prohibit or restrict its manufacture or sale except at the request of the Province of Newfoundland. However, the Parliament

of Canada shall retain power to require compliance with standards of quality applicable throughout Canada. Unless the Parliament of Canada otherwise provides, oleomargarine or margarine may not be shipped or carried from Newfoundland into any other province of Canada.

#### P R I N C E   E D W A R D   I S L A N D

##### PRINCE EDWARD ISLAND DAIRY PRODUCTS ACT, S.P.E.I. 1953, c.13.

The Lieutenant-Governor in Council may make regulations establishing grades with appropriate grade names, in accordance with the Canada Dairy Products Act and Regulations, for any class of dairy products (milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet or other product made wholly or mainly from milk). These regulations may prescribe the terms and conditions and manner in which dairy products may be graded, require that they be produced in an establishment that complies with the required conditions and was registered and licensed in a prescribed manner, prescribe fees that may be charged for grading by graders and prescribe the sizes, dimensions and other specifications of packages and the manner of packing. There are restrictions on the use of grade names and a prohibition against the sale or possession of a product with a name or grade similar to one authorized. Regulations may be passed prohibiting the manufacture and sale of any dairy product that contains fat or oil other than that of milk or any substitute for a dairy product. Inspectors and dairy produce graders may be appointed to administer and enforce the act and their powers and duties are prescribed. The act applies the Canada Dairy Products Act to the dairy industry of the province. Federal graders and inspectors are appointed provincial inspectors for the purposes of this act.

##### DAIRY PRODUCTS MANUFACTURING ACT, 1954, S.P.E.I. 1954, c.11.

The Lieutenant-Governor in Council may appoint a Dairy Superintendent and supervisors, inspectors, graders, testers, weighers and clerks to administer this act. The powers of inspectors are prescribed. The premises and equipment of every dairy manufacturing plant (dairy, cheese factory, creamery, concentrated milk plant, ice cream plant, processed cheese plant or skimming station) must be kept sanitary and the materials used and methods of processing also be sanitary. If an inspector finds unsatisfactory conditions he may close the plant or order contaminating materials removed. He may also inspect farm premises and utensils and, if necessary, prohibit their use and prohibit the sale of milk or cream from the farm. The act specifies that milk and cream are to be purchased by a dairy plant on the basis of a recognized butterfat or other test and it describes how tests are to be conducted. Certain specified records are to be kept on the premises where milk or cream is received and certain statements delivered to each patron of the dairy plant. A dairy manufacturing plant may be established only with the permission of the Minister of Agriculture and after he has approved the site, plans and

specifications. A license is required to operate any creamery, cheese factory, ice cream plant or concentrated milk plant or to test milk or cream or to operate a cream or milk gathering station.

MILK PROTECTION ACT, R.S.P.E.I. c.96, 1951.

The Prince Edward Island Milk Control Board is constituted with power to grant or refuse to grant licenses to persons, firms and associations intending to carry on the business of buying or producing fluid milk and cream for resale in the province; to inquire into any matter relating to the production, transportation, processing, distribution or sale of milk or cream; to arbitrate and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe standards of price for milk, cream and butterfat and to prevent the sale of milk at any higher or lower prices; to investigate and confirm any agreement which may be made between any licensee under this act and any association of 15 or more persons for the sale of fluid milk or cream to the members of the association at a price lower than the general price fixed under this act and to enter premises of the licensees to inspect them and check or audit their books and accounts. No person licensed under this act shall buy fluid milk, cream or butterfat or combination thereof at a price less than that prescribed therefore by the Board or any retail vendor sell these products other than at the price set by the Board.

MILK ACT, R.S.P.E.I. c.95, 1951.

This act establishes standards and definitions for milk, skim milk, pasteurized milk, homogenized milk, cream, substandard cream, ice cream and buttermilk. It prescribes how containers for these products shall be branded and how inspectors may take samples of milk and the procedure to be followed if milk is found to be unfit for consumption or below standard. It provides that all producers and distributors of milk must be registered and that all milk must be graded for bacterial, chemical or physical condition and according to the sanitary conditions under which it is produced and distributed. The act deals with the procedure to be followed if any person on a registered premises is suspected of having a communicable disease, the condition of producers' premises, the care of milk on the producers' premises and the containers of the milk on those premises, the registration of milk plants, factories, creameries and milk or cream collecting stations, the health and cleanliness of personnel in milk plants, the sanitation of milk plant premises, the care of milk, milk plant equipment and utensils in milk plants, the registration of distributors, the cleanliness and sanitation of distributors' premises, the care of milk in stores, restaurants, etc., the inspection and prevention of disease among milch cows and the cleanliness and sanitation of premises where milch cows are kept. This act is administered by the Department of Health.

DAIRY INDUSTRY (PROVINCIAL) ACT, R.S.P.E.I. c.39, 1951.

No person shall within the province, by himself, his clerk, servant or agent, manufacture, sell, expose, offer as a premium or keep for sale any margarine. There are penalties for infractions of the act.

The purpose and intent of the act is stated to be the prohibition of transactions in margarine which take place wholly within the province.

POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E.I. c.116, 1951; S.P.E.I. 1956, c.29 (am.)

The Lieutenant-Governor in Council may, with respect to poultry and poultry products, make regulations prescribing standards of quality and grades; respecting inspection, grading, labelling, branding and marking; prescribing types, sizes and specifications of packages, packing material and methods of packing; respecting the shipping, transporting, purchase and sale of poultry and poultry products; prescribing the manner in which shippers of ungraded poultry shall identify individual producers' lots; regarding the preparation of returns and statements by the receiver to the seller; requiring the licensing of persons engaged in the shipping, transporting, purchase or sale of poultry and poultry products and respecting the advertising of these products. The amendment of 1956 provides for a Poultry Products Board which is to administer the regulations which may be made by the Minister of Agriculture respecting fees for grading and inspection services, sanitation of premises, issuance, renewal or cancellation of licenses and reports to be made to the Department of Agriculture by persons processing, grading, shipping or transporting poultry products. The duties and powers of inspectors are prescribed.

(For a summary of Part II of this act see under "Production-Livestock".)

#### NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.).

Part IX of this act is concerned with the encouragement of dairying. It provides for a Superintendent of Dairying to advise the Minister of Agriculture in respect of matters relating to dairying. The Superintendent and any dairy inspector are to inspect cheese factories, condensed milk factories, creameries, cream stations, dairies and ice cream factories and give instructions and advice. The Dairymens' Association of Nova Scotia is continued and has for its object the furthering of the interests of the dairy industry by holding an annual convention and local meetings, by collecting and distributing useful information to dairymen and by holding exhibitions of dairy products. There is provision for an annual provincial grant to the Association not exceeding \$1,000.

Part XVIII deals with the distribution and sale of milk. The Board of Commissioners of Public Utilities is continued and given power to arbitrate and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe, within any area it may designate, standards or price for whole milk, cream and butterfat of any grade and the basis of calculation of standards or price; to prohibit any purchase, sale or delivery of whole milk or cream alone or in combination with any other article of trade at a price greater or lower than the price prescribed by the Commission; to prohibit milk distributors compelling or inducing producers to invest money in a dairy plant

so that the producers may obtain or retain a market for their milk; and to prohibit milk distributors terminating the purchase of milk from a producer without just cause unless 15 days notice is given and to prohibit milk producers from terminating the sale of milk to distributors except under the same conditions. All persons engaged in the business of producing, supplying, transporting, processing or selling milk must be licensed by the Commission. A person establishing a creamery, a dairy, or a condensed milk, ice cream or cheese factory must satisfy the Commission that he is financially responsible and that his action is in the public interest. The site, plans and specifications of the plant must also be approved by the Commission. The owners of dairy establishments must keep the records specified in this part of the act, furnish certain statements to their suppliers of milk and cream, grade all milk and cream when delivered and pay on a basis of such grading. The methods of testing for butterfat content are specified. The powers of the Commission and its officers to enter and inspect buildings and books and accounts are set forth. The Commission may approve any agreement respecting the price of milk and fair business practises entered into between producers, processors, milk dealers, consumers, transporters and distributors and the agreement is then binding upon all persons within the area affected by the agreement. When not less than 75 per cent of the producers supplying milk or cream in an area petition the Commission, the latter may require every producer in the area to pay to the Commission a license fee not exceeding two cents per hundred pounds of whole milk or one-half cent per pound of butterfat of cream supplied and require each milk distributor to deduct the amount of the license fees from the moneys payable to the producer and pay it over to the Commission. The money is then to be paid to the organization of producers specified in the original petition. A producer is permitted to decline to enter or may withdraw from the license fee scheme. (For summaries of other parts of this act, see under "Administration," "Agricultural Societies and Education," "Production-Crops," "Production-Live Stock," "Marketing-General" and "Land Policy,").

MARGARINE ACT, R.S.N.S. c.165, 1954.

Every keeper of a public eating place where margarine is served must display a notice to that effect on the menu or in a conspicuous manner in each room where food is served. Margarine must not be mixed with butter for sale or use in a public eating place. No person may manufacture, sell, offer for sale or serve in a public eating place margarine which contains any preservative, except common salt, in a kind or quantity forbidden by the regulations. The word "margarine" or the trade name of the contents, a list of the ingredients with the percentage of each and the name and address of the manufacturer must appear legibly on every package. All manufacturers of margarine must be licensed. In addition to other matters, the Governor in Council may make regulations prescribing standards of quality and color for margarine. Inspectors may be appointed to enforce the act and they have power to enter premises and conveyances, require the production of books and records and detain margarine at the owner's expense and take samples.

IMITATION DAIRY PRODUCTS ACT, R.S.N.S. c.120, 1954.

No person may manufacture, sell, offer for sale or have in his possession for sale any imitation dairy product, which is defined as any food substance for human consumption that is an imitation of a dairy product or is represented to be for the same use as a dairy product and that is manufactured wholly or in part from any fat or oil other than that of milk, but does not include peanut butter or margarine as defined in the Margarine Act. Inspectors may be appointed to enforce this act and they are to have power to enter premises and conveyances, require the production of books and records, take samples and detain any imitation dairy product.

N E W B R U N S W I C K

LIVE STOCK AND LIVE STOCK PRODUCTS ACT OF NEW BRUNSWICK, S.N.B. 1928, c.44.

Any provisions of the Live Stock and Live Stock Products Act (Canada) and the amendments thereto and the regulations thereunder that are within the legislative authority of the Province and outside that of the Government of Canada, are to have the force of law in New Brunswick, provided that in the instance of eggs subject to the provisions of the Live Stocks and Live Stock Products Act (Canada) it is required that all cases or containers of eggs exported out of New Brunswick shall be marked with the class and grade contained therein in accordance with the Canadian standards and provided that inspectors appointed under the federal act shall have the same authority in New Brunswick as if appointed by the provincial Minister of Agriculture.

DAIRY PRODUCTS ACT, R.S. N.B. c.55, 1952; S.N.B. 1954, c.36 (am.).

The New Brunswick Dairy Commission is established to administer this act, to investigate and study the dairy industry and the dairy products trade, to set scales of prices to be paid by milk dealers to producer-suppliers in areas designated by the commission, to supervise, control and regulate the purchase, transportation, handling, conversion, preparation, storing, delivery, sale and distribution of milk and cream as well as the care and collection of milk and cream containers and to approve and make obligatory any agreement respecting the price of milk or cream entered into by any persons engaged in the dairy products trade. The act specifies how price control areas are to be established by the Commission upon petition of at least two-thirds of the producer-suppliers, producer-distributors and milk dealers in the area or when the Commission considers it expedient to do so without being petitioned. Also by agreement by consent among at least two-thirds of the producer-suppliers, producer-distributors, milk dealers, milk vendors, storekeepers or canvassers in an area, the commission may approve an agreement respecting ethical canvassing, servicing of customers, hours of delivery and other similar matters. Inspectors may be appointed to carry out the provisions of the act. Persons supplying, processing or selling milk must be licensed and there is provision for the inspection of milk dealers' plants and examination of

their accounts and records. Milk dealers must deposit guarantees in the office of the Minister of Agriculture for the payment of the sums that they may owe to producer-suppliers. When 75 per cent of the producer-suppliers in an area so desire, the Commission may require every producer-supplier to pay a license fee to the Provincial Secretary-Treasurer not exceeding two cents per one hundred pounds of whole milk or one-half cent per pound butterfat, requiring every milk dealer in the area to deduct these fees from the amount paid to the producer-supplier and to remit the amount to the Provincial Secretary-Treasurer. The moneys so collected are to be paid to the New Brunswick Milk Producers Association to be used to promote the dairy industry.

DAIRY INDUSTRY ACT, R.S.N.B. c.54, 1952.

The Lieutenant-Governor in Council may make regulations concerning the licensing of operators of dairy plants, the licensing of milk and cream testers, the selecting, grading, weighing, sampling, testing and pasteurizing of milk and cream brought to dairy plants and the manner of payment and the establishment of a comparative scale of prices to be paid by dairy plants for different grades of milk or cream, the sanitation of dairy plants and water supply, machinery, utensils, appliances and conveyances used in the manufacture and storage of dairy products, the compulsory pasteurization of dairy products, the proper keeping of records and similar matters. The site, plans and specifications of a proposed dairy plant must be approved by the Minister of Agriculture, a permit must be held by the person establishing a dairy plant, and, before issuing a permit, the Minister must be satisfied that the proposed plant is necessary and in the interests of the community and the dairy industry and that a sufficient volume of milk or cream is available to the proposed plant. A Director of Dairy Service and inspectors are to be appointed to enforce the act and they shall have access to all dairy plants and their records and may take samples of products. Operators of dairy plants must deposit with the Minister such security for satisfying patrons' claims as the Minister may prescribe.

CHEESE AND BUTTER MANUFACTURING ASSOCIATIONS ACT, R.S.N.B. c.27. 1952.

This act provides for the incorporation of any five or more persons who desire to form an association for the manufacture and sale of dairy products. It prescribes the method of incorporation, limits the amount of shares which any member may possess to \$1,000, provides for admission of new members, elections and the settlement of disputes and deals with other similar matters.

OLEOMARGARINE ACT, R.S.N.B. c.164, 1952; S.N.B. 1954, c.65 (am.).

Every keeper of a public eating place where oleomargarine is served must display the fact on the menu or on a conspicuous sign in each room where food is served. No oleomargarine may be manufactured or sold which has a tint containing more than one and six-tenths degrees of yellow, or of yellow and red collectively. No person shall sell or offer for sale oleomargarine attached to, or within, the package of which there is any yellow coloring material

The product must not contain any preservative other than common salt and it must not contain more than 16 per cent of water or less than 80 per cent of fat. All packages must be legibly marked with the word "oleomargarine" or the trade name of the contents together with a list with percentages of each ingredient, the latter classified as vegetable oil, animal oil, animal fat, fish oil or marine oil. Manufacturers and wholesalers of oleomargarine must be licensed. There is also a prohibition against misleading or exaggerated claims for oleomargarine by word or design in advertising or labelling on the package or confusing it with a dairy product or suggesting that it is a substitute for a dairy product or bears a relationship to a dairy product.

IMITATION DAIRY PRODUCTS ACT, S.N.B. 1953, c.9.

No person shall manufacture, sell, offer for sale, or have in his possession for sale any imitation dairy product, i.e. any food substance other than a dairy product, of whatever origin, source or composition, which is an imitation of or represented to be for the same use as a dairy product and which is manufactured wholly or in part from any fat or oil other than that of milk, but does not include oleomargarine. Inspectors may be appointed to enforce this act.

(c) Vegetables

N E W F O U N D L A N D

VEGETABLE (GRADING) ACT, R.S.N. c.191, 1952.

"An Act Respecting the Grading of Certain Products of Agriculture in Newfoundland".

The Lieutenant-Governor in Council may make regulations classifying and establishing grades for each kind of product (potatoes, turnips, beet, carrots, parsnips and such other products of agriculture as the Lieutenant-Governor in Council may designate), with respect to packages or containers or the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of products within the province, with respect to the registration and licensing of packers and persons assembling products and with respect to the cleanliness and sanitation of premises in which products are graded, packed or assembled. The act provides for the appointment of inspectors and prescribes their powers and duties.

P R I N C E E D W A R D I S L A N D

POTATO WAREHOUSE ACT, R.S.P.E.I. c.115, 1951; S.P.E.I. 1956, c.28 (am.)

The Minister charged with the administration of this act, subject to the approval of the Lieutenant-Governor in Council, may make regulations

governing the terms on which loans for the erection of potato warehouses may be granted and the repayment thereof, attaching conditions regarding the operation and use of warehouses built with government assistance and determining the allocation of space in and the storage rates to be charged by the operators of such warehouses. These administrative powers may be delegated to a board appointed by the Lieutenant-Governor in Council. The act is now administered by the Minister of Agriculture.

#### NEW BRUNSWICK

"AN ACT TO EXTEND THE POWERS OF THE NEW BRUNSWICK POTATO MARKETING ACT".  
S.N.B. 1954, c.12.

In addition to its power to borrow under the Natural Products Control Act, the New Brunswick Potato Marketing Board is authorized to borrow money for such purposes and in such amounts as the Lieutenant-Governor in Council approves and is empowered to assign as security to a chartered bank any liability incurred under this act. This act is made retroactive to January 1, 1954.

#### 6. AGRICULTURAL SOCIETIES AND EDUCATION

#### NEW FOUNDLAND

AGRICULTURAL SOCIETIES ACT, R.S.N. c.173, 1952; S.N. 1956, c.7 (am.).  
"An Act Respecting Agricultural Societies".

Any nine or more persons may obtain registration as an agricultural society and it will then be deemed to be a corporation. Provision is also made for the registration of groups of two or more agricultural societies or co-operative societies. The Minister of Mines and Resources may make regulations prescribing the terms and conditions upon which societies may be formed, minimum membership fees and rules for the conduct of the business of societies and the furnishing of reports. The power and duty of a society is to encourage the development of agriculture or stock-raising or poultry-keeping in its locality by the introduction of breeding stock, by making loans or advances of money, implements, seeds or stock and by carrying on agricultural education and propaganda. A 1956 amendment allows societies to borrow money for their purposes with the approval of the Minister of Mines and Resources.

#### PRINCE EDWARD ISLAND

AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. c.5, 1951.

Fifteen or more persons may organize a Farmers' Institute in such districts as the Lieutenant-Governor in Council may define, not including

the City of Charlottetown and the Town of Summerside. The objects of an Institute shall be to promote agricultural education, to disseminate information on improved methods of soil cultivation, orchard management, construction of farm buildings and all other matters relating to the advancement of agriculture, to provide for the introduction of improved breeding stock, to provide for the co-operative purchase of supplies required by members and to conduct the sale of agricultural products. The act prescribes the method of organizing Institutes, the conduct of elections, the preparation of reports and statements, the method of obtaining provincial grants and similar matters.

WOMEN'S INSTITUTE ACT, R.S.P.E.I. c.177, 1951; S.P.E.I. 1954, c.41 (am.).

The objects of Women's Institutes are the improvement of social conditions through the study of home economics, child welfare, local needs, industrial and social conditions; fostering a spirit of patriotism; assistance to hospitals and charities; establishing Women's Institutes as social and educational centers in the community and using them to welcome new settlers; encouraging agriculture and improving agricultural conditions; and holding demonstrations, lectures, short courses, libraries, exhibitions, competitions, meetings and conventions. The act deals with the organization of Branch Institutes, their incorporation, membership, officers, meetings and annual reports. It also provides for a provincial governing body of the Federated Women's Institutes of Prince Edward Island known as the Provincial Board of Directors.

#### NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, R.S.N.S. c.5, 1954; S.N.S. 1955, c.15 (am.)

Part II of this act provides for the appointment of a Superintendent of Agricultural Associations to organize agricultural societies, inspect the stock owned by such societies and their books and accounts, enforce compliance with this act, receive reports and accounts of societies receiving provincial grants, assist societies in arranging for meetings and provide for distribution of agricultural literature and information. An agricultural society may be organized for any district. The objects of agricultural societies are to promote improvement in agriculture and in general rural community life by holding exhibitions and fairs and awarding prizes or premiums for livestock, grain, vegetables, plants, flowers, fruits and products of domestic industry; organizing ploughing matches, seed fairs, standing crop competitions and best-managed farm contests; owning, distributing or bonusing purebred registered animals and new kinds of seeds and plants; promoting the circulation of agricultural literature; offering prizes for essays relating to agriculture; encouraging the formation of co-operative societies and boys' and girls' clubs; taking action to eradicate poisonous and noxious insects and weeds; and improving the agricultural and social life of the community. The act deals with elections of officers, by-laws, provincial grants and similar matters affecting societies. Provision is also made in this part of the act for the continuation of the Nova Scotia Federation of Agriculture as a body corporate

consisting of all the members of any County Federation of Agriculture with the objects of enabling members to confer together for the interchange of information relating to agriculture, to encourage and assist in the formation of County and District Federations of Agriculture, to promote the circulation of agricultural literature and for similar purposes. The act sets forth the organization of the Federation. Provision is also made for the formation of a County Federation of Agriculture for each county and a District Federation of Agriculture for each district within a county. The act prescribes the objects, powers and duties of each type of federation. There is also provision for the formation of Community Clubs, one for each school district, with somewhat similar aims as the federation. In recent years there has been a tendency for the Federation of Agriculture to take over more of the educational and organizational activities formerly carried on by Agricultural Societies.

In Part VII of the act which deals with the encouragement of horticulture, provision is made for the formation of horticultural societies which may be organized with the permission of the Provincial Horticulturist. The objects of these societies are to encourage interest and improvement in horticulture by holding meetings for instruction and discussion, encouraging the improvement of home and public grounds by planting trees, shrubs and flowers, procuring and distributing seeds, plants, shrubs and trees, holding contests and competitions, holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs and promoting the circulation of horticultural literature. The act prescribes the organization and meetings of societies and deals with annual provincial grants and similar matters.

Part XV of the act provides for the appointment of a Superintendent of County and District Exhibitions, prescribes his duties, authorizes the holding of annual exhibitions by agricultural societies and by County or District Federations of Agriculture, provides for provincial grants to such exhibitions under specified conditions and regulates the conduct of exhibitions.

Part XVI continues the Nova Scotia Agricultural College and Experimental Farm at Truro, provides for its equipment and maintenance and the appointment of professors, instructors and a farm manager. (For summaries of other parts of this act, see under "Administration", "Production - Live Stock," "Production - Crops," "Marketing - General," "Marketing - Livestock and Livestock Products," and "Land Policy.")

#### AGROLOGISTS ACT, R.S.N.S. c.6. 1954.

The Nova Scotia Institute of Agrologists is continued as a body corporate. The act provides for a council of management for the Institute and a Board of Examiners and prescribes the powers of the Institute, who may be members, how registration is to be made and similar matters. No person may practice agrology or assume the title of Agrologist unless he is a member in good standing of the Institute. "Practising agrology" means teaching or demonstrating the science or art of agriculture or advising or conducting scientific experiments and research in relation thereto as a chief occupation.

AN ACT TO PROVIDE FOR THE ORGANIZATION OF WOMEN'S INSTITUTES, S.N.S. 1914, c. 153; S.N.S. 1942, c.74 (am.) (Private Act).

This act prescribes how Women's Institutes may be organized, provides for the appointment of a Superintendent of Women's Institutes as an officer of the Department of Agriculture and permits the province to make an annual grant not exceeding \$5,000 to assist the work of the local Institutes and the Provincial Women's Institute.

AN ACT TO ESTABLISH THE NOVA SCOTIA AGRICULTURAL COLLEGE ADVISORY BOARD S.N.S. 1934, c.5.

This act has not been implemented.

AN ACT TO AUTHORIZE THE EXPENDITURE OF DOMINION AID FOR AGRICULTURE, S.N.S. 1912, c.23.

This act is inoperative.

AN ACT TO PROVIDE FOR CARRYING ON AGRICULTURAL DEMONSTRATION WORK, S.N.S. 1913, c.11.

This act is inoperative.

#### N E W B R U N S W I C K

AGRICULTURAL SCHOOLS ACT, R.S.N.B. c.6, 1952.

Schools shall be established in the province under the control of the Minister of Agriculture for instruction in the theory and practice of agriculture, horticulture, forestry, animal husbandry, butter and cheese making, domestic science, manual training, the construction and use of varieties of buildings, fences, drainage systems, machinery, implements and similar equipment and in the elements of various sciences applicable to the above subjects. Provision is made for a full report of each school to be furnished annually by the Minister of Agriculture to the Legislative Assembly. The Lieutenant-Governor in Council may enter into arrangements with the Government of Canada and the governments of the other Atlantic Provinces for the establishment in any of the provinces of an agricultural school, the cost of maintenance of which would be borne proportionally by the parties to the agreement.

AGRICULTURAL ASSOCIATIONS ACT, R.S.N.B. c.5, 1952.

The supervision and control of agricultural fair associations, agricultural societies, district farmers associations, the provincial farmers association and specialized agricultural associations, such as those devoted to the improvement of a particular breed of livestock, are vested in the Minister of Agriculture. These associations may be incorporated and have power to borrow money. To date no organizations other than agricultural societies have been incorporated under this act.

The Lieutenant-Governor in Council may make regulations concerning the organization and objects of associations and providing for provincial grants to them under certain conditions.

WOMEN'S INSTITUTE ACT, R.S.N.B. c.253, 1952.

Provision is made for a provincial organization to be known as the New Brunswick Women's Institutes and all Institutes serving communities shall be Branch Institutes of that organization. There is to be a provincial Director of Home Economics Service who is to be superintendent of Women's Institutes and also a Provincial Advisory Board to advise the Minister of Agriculture. The latter board is to have ten members, in addition to the Minister and Director, chosen at the Provincial Convention of the New Brunswick Women's Institutes. The act describes how a Women's Institute may be incorporated and organized and deals with membership, election of officers, conduct of meetings, provincial grants to Institutes, reports and similar matters. Women's Institutes are to be non-sectarian and non-partisan and their object is to be the improvement of conditions in rural and other communities.

7. CO-OPERATIVES

N E W F O U N D L A N D

DEPARTMENT OF FISHERIES AND CO-OPERATIVES ACT, R.S.N. c.12, 1952.

"An Act Respecting the Department of Fisheries and Co-operatives".

The Department of Fisheries and Co-operatives is established with two branches, a Fisheries Branch and a Co-operative Branch. Among the duties powers and functions of the Minister of this department are encouragement and assistance in the organization of co-operative enterprises, the examination and inspection of co-operative bodies, the institution of enquiry into and collecting of information and statistics relating to co-operation and co-operative development, the establishment of a research service for enquiry into the operation of co-operative enterprises and for investigating and analysing economic, social and other problems to encourage new or improved methods of co-operative organization and, among other matters, to study and report upon questions relating to agricultural production and the processing and marketing of agricultural products.

CO-OPERATIVE SOCIETIES ACT, R.S.N. c.172, 1952; S.N. 1953, c.68 (am.);

S.N. 1954, c.42 (am.).

"An Act Respecting Co-operative Societies".

This act provides for the registration of co-operative societies, sets forth the method and conditions of registration, the rights and liabilities of members and the duties of registered societies. It deals with the audit and annual return of societies, inspection of books, the privileges of societies, the property and funds of societies, the bonding

of officers in charge of money, inspection of the affairs of societies by the Registrar of Co-operative Societies and the winding-up of societies.

CO-OPERATIVE DEVELOPMENT LOAN ACT, R.S.N. c.247, 1952; S.N. 1955, c. 5(am.)

"An Act to Provide for Loans to Co-operative Societies and to Create a Co-operative Development Loan Board for Newfoundland".

The Co-operative Development Loan Board of Newfoundland is established as a body corporate to administer the Co-operative Development Loan Fund for the purpose of encouraging societies to develop and improve the industries, commerce and services of the province, particularly by making loans to societies for assisting in the construction of plants and the purchase of plant equipment and for other suitable purposes. The Board may also guarantee loans and may enter into agreements with the Government of Canada or any public or private organization. The Board may set the terms and conditions of loans and the purposes for which they may be made.

#### P R I N C E E D W A R D I S L A N D

CO-OPERATIVE ASSOCIATIONS ACT, R.S.P.E.I. c.32, 1951; S.P.E.I. 1956, c.5 (am.)

Any ten or more persons or five or more associations may form an incorporated association to produce or sell livestock, farm products or fishery products on the co-operatives plan or to operate a business for procuring and selling supplies or rendering services to producers and consumers. The act prescribes the method of incorporation, the powers of the association, the by-laws which the association may have and deals with membership, registers, contracts, capital and shares, elections, annual statements and returns, apportionment of surplus, obligations of officers and shareholders, dissolution of associations and similar matters. A Supervisor of Co-operative Associations may be appointed to inspect, inquire and examine into the affairs of co-operative associations and report to the Provincial Secretary. If no person is designated as Supervisor, the Registrar shall have his powers and duties.

INCOME TAX ACT OF PRINCE EDWARD ISLAND, R.S.P.E.I. c.155, 1951.

Section 3 (1) of this act exempts from income taxation the income of farmers', dairymen's, livestockmen's, fruit grower's, poultrymen's, fishermen's and other like co-operative associations which market the products of the members under an obligation to pay to them the proceeds from the sales, less expenses and reserves, or purchase supplies and equipment for the use of the members under an obligation to turn them over to the members at cost, plus expenses and reserves. Co-operatives must not do business with non-members to a value greater than 20 per cent of their total purchases. The exemption extends to associations owned or controlled by co-operative associations for the purpose of financing their operations.

N O V A S C O T I A

CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.S. c.53, 1954.

This act sets forth the method of incorporating co-operative associations, the powers and capacity of associations, their membership and share capital, disposition of profits, auditors reports and similar matters. Provision is made for the appointment of a provincial Inspector of Co-operative Associations and his powers are prescribed.

FARMERS' FRUIT, PRODUCE AND WAREHOUSE ASSOCIATIONS ACT, R.S.N.S. c.94, 1954.

This act describes how five or more persons may form themselves into a company for the purpose of buying, selling, dealing in and packing fruit, fodder and other farm produce, arsenate of lead, spraying materials, insecticides and fungicides, power spraying outfits, nails, pulp heads, paper and packing materials, flour, feeds and all milling produce, artificial fertilizers, seeds, farm implements, tools, wagons and all manner of merchandise; buying, selling, leasing, erecting and operating stores, storehouses, warehouses and other buildings incidental to the purposes of the company; and investing in any company or business considered to be for the benefit of the company. The act deals with the name of the association, its registration, election of directors and officers, powers of the company, by-laws, shares and liability of share holders. The act also provides for the formation of a central company consisting of not less than ten individual companies and deals with the method of incorporation, powers, organization, membership, by-laws, etc. of the central company. Provision is also made in the act for the formation by three or more associations of a company to finance the member companies whose objects shall be to lend money to its members on suitable security and to borrow money by the issue of debentures. The types of companies or associations which may be members of the last-named company are specified and there are provisions regarding the appointment of its directors, their term of office and similar matters.

BLUEBERRY ASSOCIATIONS ACT, R.S.N.S. c.25, 1954.

Any ten or more persons of the age of 18 or more may secure incorporation under the name of Station No....Blueberry Association of Nova Scotia, provided they are actually engaged in the occupation of berry picking. The Minister of Lands and Forsts may set aside an area or areas of Crown Lands as blueberry commons. The objects of an association are to obtain an area of Crown Land for the cultivation, picking and co-operative shipping and selling of blueberries therefrom and to procure reliable information on the latest improvements in the methods of cultivating, picking, shipping and selling blueberries. The act prescribes the organization of an association and deals with the election of officers, drafting of regulations and annual returns to the Minister of Lands and Forests.

N E W B R U N S W I C K

CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.B. c.40, 1952; S.N.B. 1954, c.29 (am.).  
S.N.B. 1955, c.34 (am.); S.N.B. 1956, c.25 (am.)

An association may be incorporated under this act to operate a co-operative business to buy, sell, barter, pack, process, manufacture, preserve, can, grade, store, handle or deal in livestock and livestock produce, eggs, poultry, seeds, feeds, fertilizer and all kinds of farm products and all manner of merchandise or supplies necessary for producing, packing, processing, manufacturing, marketing or transporting such goods and merchandise. It may also buy, sell, lease, erect, improve and operate stores, warehouses, wharves, canneries, plants, storehouses and other buildings to carry on the business of processors, manufacturers, store-keepers or warehousemen and it may carry on a service of artificial insemination of livestock. The act describes the method of incorporation and deals with such matters as the names of associations, membership, directors and officers, elections, by-laws, capital stock, borrowing powers, disposition of surplus, audit, annual meeting and reports. Provision is made for the appointment of an inspector to supervise co-operative associations and of a registrar to keep a record of matters concerning associations. A 1956 amendment authorizes an association to operate a hospitalization or medical plan for its members and employees and their dependents under certain specified conditions.

"AN ACT RELATING TO THE FARMERS CO-OPERATIVE CREAMERY COMPANY LIMITED".  
S.N.B. 1922, c.41; S.N.B. 1923, c.103. (am.); S.N.B. 1935,  
c. 10 (am.); S.N.B. 1937, c.55 (am.).

This company has been absorbed by Co-operative Farm Services.

8. CREDIT UNIONS

P R I N C E E D W A R D I S L A N D

CREDIT UNION SOCIETIES ACT, R.S.P.E.I. c.38, 1951.

The Prince Edward Island Credit Union League Limited is charged with the administration of this act. The act prescribes how a Credit Union Society may be incorporated to receive the savings of its members as payment on shares or as deposits, to make loans to members exclusively for provident or productive purposes, to make loans to other credit unions, to co-operative societies or to other organizations having membership in the credit union, to invest up to 25 per cent of its capital in the paid-up shares of co-operative associations and other credit unions, to invest in any legal investment authorized for trust funds and to borrow money as specified in the act. The act prescribes how a credit union may be incorporated and deals with its membership, meetings, committees, capital,

register, reserve, interest on loans to members, borrowing powers, contracts, transfers, dissolution and similar matters. Any ten or more credit unions may form a federation and the act deals with the organization, powers and duties of such a federation. The Credit Union League is to inspect, inquire and examine into the affairs of all credit unions and report annually to the Provincial Secretary.

#### NOVA SCOTIA

CREDIT UNION ACT, R.S.N.S. c.64, 1954; S.N.S. 1955, c.22 (am.); S.N.S. 1956, c.20 (am.).

Any 15 or more persons who have a common occupation or association or are neighbours may form a credit union and have it incorporated. The act describes the method of incorporation and deals with such matters as the choice of corporate name, membership and shares, capital and liability, by-laws, meetings, powers, management and administration, the granting of loans, the apportionment of earnings, returns, and financial statements and suspension and dissolution. Provision is made for the appointment of a provincial Registrar of Credit Unions and for inspectors of credit unions and their duties are prescribed. This act is administered by the Provincial Secretary.

#### NEW BRUNSWICK

CREDIT UNIONS ACT, R.S.N.B. c.48, 1952; S.N.B. 1955, c.39 (am.); S.N.B. 1956, c.30 (am.).

A credit union may be incorporated for the purpose of promoting thrift among its members, creating a source of credit for its members, receiving the savings of its members as payment on shares or as deposits, making loans to members for provident or productive purposes and making loans to other Credit Unions. The act sets forth the method of incorporation, the organization of the board of directors, the duties and powers of the board, the formation of credit and supervisory committees and deals with such matters as membership, shares, by-laws, reserve funds, reports and audit. A Registrar of Credit Unions is to be appointed to enforce compliance with the provisions of this act.

CREDIT UNIONS FEDERATIONS ACT, R.S.N.B. c.49, 1952; S.N.B. 1955, c.40 (am.).

Any ten or more credit unions may be incorporated as a federation for their mutual protection and the furtherance of their common interests. The act specifies the procedure necessary to obtain incorporation, the number of and election of representatives from credit unions in the federation, the limit of liability of member credit unions, the composition and election of directors and officers of the federation, the provision of cash reserves and deals with other similar matters.

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GOVT PUBNS



# PROVINCIAL AGRICULTURAL LEGISLATION

## in the Atlantic Provinces

### 1958 supplement

DAVID FLEMING

CANADA DEPARTMENT OF AGRICULTURE

ECONOMICS (DIVISION) Brane

OTTAWA, MAY 1959



### PREFACE

This publication is a supplement to "Provincial Agricultural Legislation in the Atlantic Provinces, 1956". It brings up to date the summaries of agricultural statutes contained in that bulletin by outlining the nature of the amendments and new legislation passed in 1957 and the first half of 1958. As in the main bulletin, the summaries have no legal standing and should be used only for reference purposes.

The page numbers in this bulletin run consecutively with those in the main bulletin and the index starting on page 74 contains references to legislation both in the main bulletin and in the supplement.



1. ADMINISTRATION

NEWFOUNDLAND

DEPARTMENT OF MINES AND RESOURCES ACT, amendment, S.N. 1957, c.11.

The duties, powers and functions of the Minister of Mines and Resources extend to and include among other matters, agriculture. More specifically, these include the encouragement and assistance in the organization of co-operative enterprises among persons or groups who desire to provide themselves with, or to market, commodities or services.

NOVA SCOTIA

RURAL ELECTRIFICATION ACT, amendments, S.N.S. 1957, c.46; S.N.S. 1958, c.62.

Under the amendment, the construction of electrical extension cannot be started before the provincial Secretary or another person appointed by the Governor-in-Council is satisfied that the Commission has obtained undertakings to purchase electric power and energy from an average of not fewer than two domestic classification customers, or their equivalent in estimated revenue producing value per mile of the extension.

NEW BRUNSWICK

(b) Crops

POTATO WAREHOUSE ASSISTANCE ACT, S.N.B. 1957, c.13.

This is a new Act which allows the Minister of Agriculture to enter into an agreement with the Federal Minister of Agriculture and a co-operative association respecting financial assistance for the construction of potato warehouses.

(c) Livestock

PRINCE EDWARD ISLAND

ARTIFICIAL INSEMINATION ACT, S.P.E.I. 1957, c.2.

"An Act Respecting Artificial Insemination".

The Act provides for a board, known as The Artificial Insemination Advisory Board, to act in an advisory capacity to the Minister of Agriculture and the Provincial Animal Pathologist and Veterinarian. The

Lieutenant-Governor-in-Council may make regulations dealing with licenses, fees, requirements and minimum standards, and penalties.

DOMESTIC ANIMALS ACT, amendment, S.P.E.I. 1958, c.12.

Subsection (2) of Section 7 of the Act states that in absence of regulations to the contrary, each school district shall be closed and no animals shall be allowed to run at large between April 15 and December 15 each year. An amendment provides that this subsection shall not create any civil liability on the part of the owner of animals for damage caused to the property of others as a result of such animals running at large on any highway.

#### NOVA SCOTIA

VETERINARY MEDICAL ACT, S.N.S. 1958, c.15.

"An Act to Revise c.305 of the R.S.N.S. 1954, the Veterinary Associations Act".

The Nova Scotia Veterinary Medical Association consisting of all persons duly qualified to practice as veterinarians is constituted as a corporate body. The objects of the Association are outlined, the main one being to encourage, promote, and safeguard the health of livestock generally. All members must undertake to practice the profession of veterinary medicine in a professional and becoming manner and in accordance with the provisions of the Act and the by-laws of the Association. A Council of the Association is formed which directs and manages the affairs of the Association. Only members of the Association are allowed to practice veterinary medicine in the Province of Nova Scotia, or to make use of the titles associated with members of the profession.

VETERINARY ASSISTANCE ACT, amendment, S.N.S. 1958, c.68.

The effect of the amendment is to increase from 1,300 dollars annually to 1,800 dollars annually the amount that the Province of Nova Scotia may grant to a Veterinary Assistance Board, and to increase from 2,600 dollars annually to 3,100 dollars annually the amount that may be paid by a Veterinary Assistance Board to a veterinarian.

#### NEW BRUNSWICK

BANG'S DISEASE CONTROL ACT, amendment, S.N.B. 1957, c.23.

Under this amendment, the Lieutenant-Governor-in-Council, on the recommendation of the Minister of Agriculture, may establish a district as a restricted area or a vaccination area for the control of Bang's Disease. The Lieutenant-Governor-in-Council may also authorize

the Minister to apply to the Federal Minister of Agriculture to make the whole or any portion of the Province an area for the eradication of Bang's disease under the Animal Contagious Diseases Act.

COMMUNITY AUCTION SALES ACT, S.N.B. 1958, c.7.

This Act governs the carrying on of a community auction sale of livestock or poultry owned by two or more persons, but does not include the sponsoring or conducting of an auction sale by a livestock breeders association. The Community Auction Sales Advisory Board acts in an advisory capacity to the Minister. Regulations made by the Lieutenant-Governor-in-Council deal with the duties and powers of the board, licensing, terms and conditions under which a sale may operate, facilities, sanitation, records, reports and inspection.

3. LAND POLICY

(a) Development, conservation, drainage and irrigation

N E W F O U N D L A N D

CROWN LANDS ACT, amendment, S.N. 1957, c.57.

An addition to the Act deals with the protection of trees growing within 300 and 33 feet of the center line of a highway except for trees cut on private fenced land. The Governor-in-Council may make further regulations to control cutting of trees of different species, and in different sections of the province. The amendment also deals with controls over the construction, alteration or replacement of dams and other activity affecting the natural flow of any stream, lake or waterway.

LAND DEVELOPMENT ACT, amendment, S.N. 1957, c.44.

A new section added to the Act gives the Crown the right to purchase all land not being Crown Land in a land development area.

THE UNIMPROVED LANDS (REDISTRIBUTION) ACT, 1957, S.N. 1957, c.67.

"An Act to Provide for the Redistribution by the Crown of Certain Unimproved Lands".

The Act applies to the lands granted by the Crown grants whether the lands are now held by the grantees named in the grants or have passed to any other person, partnership or association. Any land to which the Act applies may be expropriated for such uses as the development of agriculture or forestry, the utilization, disposal or development of any product of the forest; or the construction, extension, maintenance or repair of roads; or for the dedication to the public of the use of an

existing road. Any person authorized by the Minister of Mines and Resources may enter upon any land in order to obtain a plan and description of the land. Owners of land expropriated will be compensated at the rate of 30 cents an acre. When land is expropriated under this Act the title to all surface rights is to be vested in the Crown. Expropriated land is to be dealt with under The Crown Lands Act and The Crown Lands (Mines and Quarries) Act.

NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, amendment, S.N.S. 1957, c13.

The 1957 amendment deals with community pastures. A Provincial Community Pasture Board, as established, consists of at least three members appointed by the Minister. The Board is a corporate body with powers to establish, conduct and operate community pastures; lease, hold, improve and manage land and buildings, provide pasture privileges and services; engage and pay such persons as are necessary for the conduct of its affairs; and do such other acts and things as are necessary or incidental to the establishment and operation of community pastures. The Board may establish regulations for the purpose of carrying out the above. The fiscal year of the Board shall correspond to the fiscal year of the Province. The system of accounting and the books and records of the Board shall be subject to the approval, supervision and audit of the Provincial Treasurer. Also, an annual report shall be submitted to the Minister. Other clauses in the amendment deal with the bonding of staff, borrowing from the Province and keeping a separate account for all revenue. The administration expenses of the Board shall be included in administration expenses of the Department.

AGRICULTURE AND MARKETING ACT, amendments, S.N.S. 1958, c.17, 18.

The first 1958 amendment provides that interest collected by the Land Settlement Board may be used by the Board for its purposes. The second amendment increases the amount of credit that may be extended by the Land Settlement Board from ten thousand dollars to 15 thousand dollars in the case of one borrower, and from 21 thousand dollars to 24 thousand dollars in the case of a group of borrowers; and to permit the extension of credit to the sixty-sixth birthday of the borrower rather than the sixty-first.

LANDS AND FORESTS ACT, amendment, S.N.S. 1957, c.30.

Except for minor changes in wording, the main change in this Act is the addition of new sub-sections. Under one new sub-section, an area of Crown land which may be more advantageously used for residential or commercial purposes than for agricultural purposes may be subdivided into residential or commercial building lots under the authority of the Governor-in-Council. A second sub-section deals with the granting of permission for the construction and maintenance in or on Crown Lands of electric power lines, telegraph and telephone pole lines, and water, sewer, gas or oil pipe lines.

MARSHLAND RECLAMATION ACT, amendment, S.N.S. 1958, c.45.

This Act is amended by the addition of a number of new sections. A definition of "rates" includes interest payable upon rates pursuant to a by-law of a marsh body. Provision is made for a procedure for enlarging or reducing the area for which a marsh body is incorporated. Section 57 of the Act enumerates the subjects upon which a marsh body may make by-laws. The addition is intended to empower a marsh body, by by-law, to charge interest on arrears of rates. Another section added provides a procedure for dissolution of a marsh body by a vote of 2/3 of its members.

N E W B R U N S W I C K

MARSHLAND RECLAMATION ACT, amendment, S.N.B. 1958, c.47.

A new section, section 48A, has been added to the Act to provide procedures to be taken when any assessment made under authority of the Act has not been fully paid.

WATER RESOURCES AND POLLUTION CONTROL ACT, amendment, S.N.B. 1958, c.23.

Under this amendment, provision is made for the control of the use of water in lakes, streams and water courses in the Province; for the control or prevention of pollution of such water, for the allocation of the use of such water to the several users or applicants therefor, and for fixing penalties for the violation of any regulation made under authority of the act. The New Brunswick Water Authority shall enforce the regulations. Local Water Authorities shall be appointed with authority in specific areas.

(c) Tenure and Assessment

P R I N C E E D W A R D I S L A N D

REGISTRY ACT, amendment, S.P.E.I. 1957, c.31.

Under this amendment, certificates of discharge of mortgage are to be simply filed and not copied at full length in the Register books. A new schedule of Registrars' fees has been set up.

N O V A S C O T I A

LAND TITLES ACT, amendment, S.N.S. 1958, c.16.

In this amendment, a notice of application to a Master of Titles must be published "by five consecutive weekly insertions preceding the day of application in a newspaper circulated in the county in which the lands are situated".

PUBLIC HIGHWAYS ACT, amendment, S.N.S. 1957, c.41.

Under this amendment, no municipality is to pay the Municipalities' Highway Tax in respect of any year after the year 1956.

### 5. MARKETING

#### (a) General

#### P R I N C E E D W A R D I S L A N D

MARKETING ACT, amendments, S.P.E.I. 1957, c.21, S.P.E.I. 1958, c.21.

This Act is amended by adding a new section, Section 24, and by adding a new sub-section, Sub-section (5) to Section 6. As a result of the first amendment, the Lieutenant-Governor-in-Council may make regulations for the sale of fruit and vegetables, and may adopt regulations made under the Fruit, Vegetables, and Honey Act, Revised Statutes of Canada, 1952, c.126. He may also authorize inspectors for the enforcement of the regulations. The penalty for not complying with any regulations under this section is to be in the form of a fine not exceeding 25 dollars.

Under new Sub-section (5) of Section 6, a temporary plan established without a vote taken, must be voted on and approved by 60 per cent of the persons voting within the area to which the plan applies.

#### N O V A S C O T I A

NATURAL PRODUCTS MARKETING ACT, amendment, S.N.S. 1957, c.35.

This amendment is a change in definition. The term "natural products" now includes animals, meats, eggs, poultry, wool, dairy products, grains, seeds, fruit, fruit products, vegetables, vegetable products, maple products, honey and articles of food or drink manufactured or derived in whole or in part from any such product.

PUBLIC HEALTH ACT, amendment, S.N.S. 1958, c.58.

The 1958 amendment provides that the Governor-in-Council may make regulations respecting sanitation in milking, and the care and cooling of milk.

(b) Livestock and livestock products

P R I N C E E D W A R D I S L A N D

AGRICULTURAL PRODUCTS STANDARDS ACT, S.P.E.I. 1958, c.1.

"An act Respecting Standards of Agricultural Products".

This Act provides that the Lieutenant-Governor-in-Council may make regulations requiring and prescribing the manner and conditions of the grading, inspection, packing and marketing of livestock and livestock products as well as fixing and defining the grade standards of livestock and livestock products. More specifically he may prescribe regulations for transporting, delivering, shipping, advertising, purchasing and selling livestock and livestock products and in addition, the size, kind, branding, marking and labelling of packages or containers in which livestock products are kept.

The conditions for sales, purchases, and transportation of livestock and livestock products are outlined in detail. In addition, the purchasers of livestock or livestock products at assembling points and abattoirs shall record the receipts, classifications, weights, and purchase prices and make the records available to the Minister.

All persons dealing in livestock or livestock products must be classified and all classes must be licensed. Regulations prescribing the forms and classes of licenses to be issued, their duration, renewal, qualified issuers and the fees payable are authorized by the Lieutenant-Governor. The regulations also require persons dealing in livestock or livestock products to furnish to the Minister a guarantee or security bond, specifying the form and amount and the conditions upon which it may be realized. The Minister may revoke or suspend a license at any time.

Inspectors appointed for the purpose of preventing or detecting any violation of any provision of the Act, may at any time, without warrant, enter any and every part of any place, and examine and take copies of all documents, books and records, and make searches in every part of the premises. He also may stop any motor truck on the highway and inspect the contents thereof for the purpose of preventing or detecting any violation of the Act. Penalties for violations are in the form of fines ranging from 50 to 1,000 dollars.

MILK PROTECTION ACT, amendment, S.P.E.I. 1957, c.22.

This amendment authorizes the Lieutenant-Governor-in-Council to appoint a Milk Control Board. The Dairy Superintendent of the Province shall be an ex officio member of the Board without voting powers. The Chairman of the Board shall be the Judge of the County or Supreme Court or independent person as appointed. Members of the

Board must be sworn in by a Judge of the County Court before performing their duties.

6. AGRICULTURAL SOCIETIES AND EDUCATION

NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, amendment, S.N.S. 1957, c.13.

Under this amendment, an agricultural society formed under the Act is given the power to acquire, hold, sell, lease, mortgage and improve land. The "special objects" of a County Federation of Agriculture are amended to include the holding of fairs or exhibitions, the organization of plowing matches and other competitions and the awarding of prizes in that connection.

7. CO-OPERATIVES

NOVA SCOTIA

CO-OPERATIVE DEVELOPMENT LOAN ACT, amendment, S.N. 1957, c.3.

This amendment re-defines "Minister" as the Minister of Mines and Resources or such other Minister as the Lieutenant-Governor-in-Council charges with the administration of the Act.

8. CREDIT UNIONS

NOVA SCOTIA

CREDIT UNION ACT, amendment, S.N.S. 1958, c.28.

In accordance with this amendment, any member of a credit union, by written order to the office of the credit union, may nominate any person not being an officer or servant of the credit union, to whom his shares and deposits and any insurance money payable in respect thereto in the credit union shall be transferred at his decease. Every credit union must keep a book containing the names of persons so nominated. If no person has been nominated and no administrator of the estate of the deceased member is appointed within six months

of his death, the directors may transfer the shares, deposits and insurance money of the deceased to or among the persons who appear to the majority of the directors to be entitled by law to receive the same.

Clauses 2 and 3 of the amendment provide that the credit union may at its option, elect its credit committee at a general meeting or have it appointed by the Board of Directors.

#### NEW BRUNSWICK

CREDIT UNIONS ACT, amendment, S.N.B. 1958, c.31.

This amendment provides for the election or appointment of a president and vice-president of the Credit Union, who are Directors and a secretary and treasurer or secretary-treasurer, who are not Directors, within ten days after the election of the Board.

CREDIT UNIONS FEDERATION ACT, amendments, S.N.B. 1957, c.32, S.N.B. 1958, c.32.

The 1957 amendment provides that at the end of the fiscal year before the payment of interest on money deposited with it, a Federation shall set aside not less than ten per cent of the net earnings of its deposit and loan department as a separate reserve fund. This fund is to be used as a reserve against uncollectable loans made or losses incurred by the deposit and loan department.

The 1958 amendment provides that where a vacancy occurs in the elected representatives through death or ineligibility, the board of directors of the credit union may appoint a representative to fill the vacancy until the next annual meeting.

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GOVT PUBLNS



# PROVINCIAL AGRICULTURAL LEGISLATION

in the Atlantic  
Provinces

1959 supplement

CANADA DEPARTMENT OF AGRICULTURE  
ECONOMICS DIVISION  
OTTAWA, JANUARY 1960



## PREFACE

This publication is the second supplement to "Provincial Agricultural Legislation in the Atlantic Provinces, 1956". It brings up to date the summaries of agricultural statutes contained in that bulletin and the first supplement by outlining the nature of amendments and new legislation passed during 1959. As in the main bulletin, the summaries have no legal standing and should be used for reference purposes only.

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2. PRODUCTION

(a) General

P R I N C E   E D W A R D   I S L A N D

FISH AND GAME PROTECTION ACT, S.P.E.I. 1959 ch.13.

This Act replaces the former Game Act. Under this Act resident farmers, farm laborers and their families are exempt from the requirement that no person may angle for trout or salmon or hunt any upland game bird or migratory game bird or hare or rabbit unless a license is issued to him under this Act.

(b) Crops

N O V A   S C O T I A

SEA PLANTS HARVESTING ACT, S.N.S., 1959, ch.9.

This Act deals with the licensing of persons engaged in harvesting sea plants, the designation of such harvesting areas and the regulations that may be put into effect by the Governor in Council. This Act applies to persons harvesting sea plants for processing or sale and does not include persons using sea plants for agricultural or scientific purposes. Any violators of this Act are subject to a maximum of \$100 fine.

(c) Livestock

N O V A   S C O T I A

VETERINARY MEDICAL ACT, amendment, S.N.S., 1959, ch.56.

See also 1958 supplement p.66.

This amends the Act by adding several sections whereby no person who is not entitled to become a member of the Veterinary Medical Association shall be appointed permanently as a veterinarian in any branch of the public service of the Province. A member of the Association is entitled to professional fees for attending a court as a witness in matters relating to veterinary science. No person other than a member of the Association shall practice veterinary medicine for hire, gain or reward in the Province.

### 3. LAND POLICY

#### (a) Development, conservation, drainage and irrigation

##### NEWFOUNDLAND

CROWN LANDS ACT, amendments, S.N.1959, ch. 66.

See also 1956 bulletin p.22; 1958 supplement, p.67.

Subsection (1) of the Revised Statutes 1952 is repealed and the substituting section states that a person may obtain a lease, from the Minister, of any Crown Lands not exceeding five acres for the purpose of a residence. The term of the lease is five years at a rental of five dollars a year on the condition that the lessee erects a dwelling house according to the regulations set down. When the Minister is satisfied that such a house has been so erected, he shall issue a grant for a residence to the lessee. The terms and conditions prescribed for the lease may be varied or others substituted therefor by the Lieutenant-Governor in Council.

Section 9 of the above Act is amended by repealing subsection (3). The substituting section states that every lease issued under this section shall be for a term of five years at a rental of five dollars a year. The lease shall contain a condition that the lessee shall clear and put into cultivation, within two years, ten per cent of the area comprised by the lease that is capable of being developed for agriculture, and, within five years, shall put 25 per cent of such area into cultivation. When the Minister is satisfied that the conditions of the lease have been met he shall, upon application of the lessee, issue him a grant for agriculture. For a period of 15 years from the date of the lease the land comprising the lease shall not be subdivided or used for any purpose other than agriculture and failure to comply with this regulation shall cause forfeiture of the land to the Crown.

Section 15 (1) is repealed and the substituting section requires that all Crown Lands for which application under this Act has been made, shall be surveyed and a plan of the survey prepared within 12 months of the approval of the application.

##### NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, amendments, S.N.S., 1959 ch. 11.

Subsection 2 of Section 212 of Chapter 5 is repealed. This subsection had set a limit of \$15,000 on a loan to an individual and a limit of \$24,000 on a loan to a partnership. Chapter 5 is further amended by adding a part designating the Minister to enter into and carry out

agreements with the Government of Canada, with municipalities, and with other persons for joint carrying on of work for the protection, reclamation, conservation and improvement of land and for the more effective and economical utilization of land or for any of these purposes.

For the purpose of carrying out an agreement the Minister may acquire and use real and personal property, construct drains, roads, breakwaters, dams, ditches, canals, excavations and other works and things for the reclamation, protection, conservation or improvement of land.

PROVINCIAL PARKS ACT, S.N.S., 1959, ch.7.

This Act is concerned with the establishment of parklands and the regulations pertaining to them. Section 13 provides that with the approval of the Governor in Council the Minister may make regulations respecting the use of land in a park for agricultural products and providing for the issuance of permits for pasturing or grazing of livestock in a park.

#### 4. FARM CREDIT

#### P R I N C E   E D W A R D   I S L A N D

"AN ACT TO PROVIDE ASSISTANCE TO ESTABLISH YOUNG FARMERS IN AGRICULTURE",  
S.P.E.I., 1959., ch. 12.

The Lieutenant-Governor in Council may appoint three commissioners to constitute a board having as its object the making of loans to assist young farmers in the establishment, development and operation of their farms. The Board shall have a maximum of \$1,000,000 for purposes of making loans. The Board may make loans for the following purposes and no other:

- (a) the acquisition of land for farming purposes;
- (b) the erection and improvement of farm houses and farm buildings;
- (c) to pay off charges existing against land at the time of acquisition by the borrower under a will or by descent;
- (d) to pay off encumbrances;
- (e) to consolidate outstanding liabilities incurred for productive farming purposes;
- (f) for the purpose of providing drainage;
- (g) to purchase livestock, seed and fertilizers;

- (h) for the purchase of farm machinery, tools and any implements and equipment necessary to the proper operation of a farm;
- (i) for such other purposes relating to the establishment, development and operation of the applicant's farm as the Board approves.

The applicant for a loan must be between the ages of 21 and 35 years, be a resident of the Province with at least two years farming experience. He must be farming or intending to farm on a full time basis.

The Board may make a loan to the applicant to the extent of 85 per cent of the appraised value of his farm up to a maximum of \$10,000 and every loan shall be secured by a first mortgage upon the lands farmed or to be farmed by the borrower. The loans shall be repayable in annual instalments for a maximum period of 25 years. Provision is made for the sale of mortgaged property upon the default of the terms of the agreement by the borrower; also the Board may cease further loan advances if it is of the opinion that the money is not being expended to its best advantage.

## 5. MARKETING

### (a) General

#### P R I N C E E D W A R D I S L A N D

MARKETING ACT, amendment, S.P.E.I., 1959, ch. 19.

See also 1956 bulletin, p.36; 1958 supplement, p.70.

In this amendment three new subsections are added to Section 2 of Chapter 23 defining the following:

"Processor" a person engaged in the business of canning, dehydrating, drying, freezing, pickling or processing with sugar or sulphur dioxide or any other chemical or by heat, and combining or mixing a vegetable with one or more other vegetables;

"Vegetables" means green and wax beans, lima beans, red beets, cabbage, carrots, sweet corn, long green cucumbers, green peas, pumpkin, squash and tomatoes, broccoli, brussel sprouts, cauliflower, asparagus and other horticultural products;

"Producer" means a person engaged in the production of any agricultural product.

To section 7 of the Act is added a subsection which allows under the Act the establishment and appointment of bargaining committees in connection with any plan, which shall act on behalf of producers in negotiating contracts or agreements with processors and dealers relating to the production and marketing of any regulated product and shall enforce any obligations under such contracts.

5. MARKETING

(a) General

NEW BRUNSWICK

NATURAL PRODUCTS GRADES ACT, amendment S.N.B. 1959., ch. 62.

See also 1956 bulletin, p.41.

This amendment adds two new clauses to the Act prescribing standards of composition for each kind of product and prohibiting the sale of a product which does not meet the minimum grade established or the minimum standard of composition prescribed by the regulations.

(b) Livestock and livestock products

PRINCE EDWARD ISLAND

THE MILK PROTECTION ACT, S.P.E.I., 1959, ch. 20.

This Act repeals the Milk Protection Act, 1951. The Lieutenant-Governor in Council may appoint a board to be known as "The Prince Edward Island Milk Control Board" consisting of five persons, two of whom shall represent the consumers, two of whom shall represent the milk and cream producers and distributors, and the fifth person shall be a County Court or Supreme Court judge, or an independent person. The Board shall have power to grant or refuse a license to any person, firm, association or corporation buying fluid milk and cream for resale or producing milk and cream within the Province; to suspend violators of the Act; to enquire into any matter relating to the production, transportation, processing, distribution or sale of milk or cream; to arbitrate, adjust and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe and vary standards of price for milk, cream and butterfat having regard to the prevailing market price, conditions of production, manner of delivery, cost of handling and delivery, and the price thereby established will incorporate a differential to compensate for any pasteurizing or other processing of the product; to control and prevent any sale or offering for sale or delivery of milk or of cream or butterfat at a price higher or lower than the prescribed price.

The Board shall have power to investigate and confirm any agreement which may be made between any licensee under the Act and any association of 15 or more persons for the sale of fluid milk or cream to the members of such association at a price lower than the general price fixed under the Act.

The Board shall have power to require all persons licensed under this Act and all retailers to furnish the Board with written and signed statements of all fluid milk or cream supplied, purchased or sold by them.

Any member of the Board may enter and inspect the premises and books of any licensee. The Board may make regulations from time to time concerning the handling of licenses and the definition of areas within the Act. No person licensed under the Act for the buying of fluid milk and cream from producers for resale shall buy at a price lower than the standard price prescribed by the Board.

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# PROVINCIAL AGRICULTURAL LEGISLATION

in the Atlantic  
Provinces  

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1967



CANADA DEPARTMENT OF AGRICULTURE

ECONOMICS BRANCH

OTTAWA, AUGUST, 1967



## PREFACE

This publication is the third titled "Provincial Agricultural Legislation in the Atlantic Provinces". The first was published in 1950, with supplement and consolidated index in 1953, and the second, in 1956. Two further supplements included amendments to legislation in 1958 and 1959. These earlier publications are out of print.

This publication contains summaries of agricultural legislation on the statute books of the four Atlantic provinces as of July 1, 1967. These summaries are not intended for use as substitutes for the Acts themselves. Where more detail or exact legal interpretation are required, the statutes should be consulted.

The following abbreviations are used:

R.S.N.	-	Revised Statutes of Newfoundland
S.N.	-	Statutes of Newfoundland
R.S.P.E.I.	-	Revised Statutes of Prince Edward Island
S.P.E.I.	-	Statutes of Prince Edward Island
R.S.N.S.	-	Revised Statutes of Nova Scotia
S.N.S.	-	Statutes of Nova Scotia
R.S.N.B.	-	Revised Statutes of New Brunswick
S.N.B.	-	Statutes of New Brunswick
c.	-	chapter

The Economics Branch acknowledges the assistance given by provincial government officials who checked the summaries for errors of omission or interpretation.

These summaries were prepared by the Co-ordination and Special Projects Section.

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1. ADMINISTRATION

N E W F O U N D L A N D

DEPARTMENT OF MINES, AGRICULTURE AND RESOURCES ACT, S.N. 1961, c.16;  
amendments: 1962, c. 8; 1963, c. 6.

"An Act Respecting the Department of Mines, Agriculture and Resources".

(This Act supersedes the Department of Mines and Resources Act, R.S.N. 1952 and Amendments).

The duties, powers and functions of the Minister of Mines, Agriculture and Resources extend to and include, among other matters, agriculture (primary production, and the processing and marketing of primary products). He also has the control and management of the Crown Lands except those specifically under the control of any other minister, department or agency.

P R I N C E E D W A R D I S L A N D

AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. 1951, c. 5.

The Minister of Agriculture is to administer the agricultural affairs of the Province and the moneys provided by the legislature for the encouragement of agriculture and the dissemination of agricultural information. He is to organize Farmers' Institutes, receive the accounts and reports of these societies, take measures to obtain, from other countries, animals of new and improved breeds, new varieties of grains, seeds, vegetables and other agricultural products for distribution in the several districts, and adopt measures to promote improvement in stock raising, dairying, horticulture and other branches of agriculture. (For a summary of the remainder of this Act see under "Agricultural Societies and Education".)

N O V A S C O T I A

PUBLIC SERVICE ACT, R.S.N.S. 1954, c. 240; amendments: 1955, c. 41; 1957, c. 42; 1962, c. 43; 1964, c. 42; 1965, c. 43.

This Act authorizes the various departments for the administration of the public affairs of the Province. Sections 22, 23 and 24 establish the Department of Agriculture and Marketing which is to be administered in accordance with the Agriculture and Marketing Act and the other statutes relating to agriculture, marketing and kindred subjects. These sections briefly prescribe the powers and duties of the Minister of Agriculture and Marketing and provide for the appointment of a Deputy Minister.

AGRICULTURE AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

Part I of this Act authorizes the Department of Agriculture and Marketing under the Minister of Agriculture and Marketing; provides that the department shall be administered under this Act and the other statutes relating to agriculture and marketing, and gives the Minister power, with the approval of the Governor in Council, to make rules and regulations for the purpose of carrying out the provisions of this Act. (For summaries of other parts of this Act, see under "Agricultural Societies and Education", "Production - Livestock", "Production - Crops", "Marketing - General", "Marketing - Livestock and Livestock Products", and "Land Policy".)

#### N E W B R U N S W I C K

EXECUTIVE COUNCIL ACT, R.S.N.B. 1952, c. 175; amendments: 1954, c. 39; 1955, c. 46; 1960-61, c. 40; 1961-62, c. 19; 1963 (Second session), c. 20; 1964, c. 28; 1966, c. 53; 1967, c. 38.

This Act provides for the appointment, among other ministers, of a Minister of Agriculture and Rural Development and empowers the Lieutenant-Governor in Council to prescribe the duties of this and other ministers and of the departments over which they preside.

#### 2. PRODUCTION

##### (a) General

#### N E W F O U N D L A N D

NEWFOUNDLAND AND LABRADOR POWER COMMISSION ACT, S.N. 1965, c. 20; amendment: 1966, c. 5.

"An Act Respecting the Newfoundland and Labrador Power Commission".

(This Act supersedes the Newfoundland Power Commission Act, S.N. 1954.)

The former Newfoundland Power Commission - a body corporate - is reconstituted and renamed the Newfoundland and Labrador Power Commission. The new Commission has authority to establish, maintain and operate works in any part of the Province for the development and generation of power, and to transmit and sell anywhere in the Province all power so generated. (For a summary of other parts of this Act, see under "Land Policy - Tenure and Assessment".)

NOVA SCOTIA

RESEARCH FOUNDATION ACT, R.S.N.S. 1954, c. 253.

The Research Foundation of Nova Scotia is constituted. Among its purposes, which in general include research and investigation of scientific and technological methods affecting the utilization of the natural resources of the Province, is the investigation of improvements in the conditions of agriculture.

RURAL ELECTRIFICATION ACT, R.S.N.S. 1954, c. 254; amendments: 1955, c. 42; 1957, c. 46; 1958, c. 62.

If the revenue from the supply of electricity in a rural district is insufficient to meet the cost of supplying it, the amount of the deficit is to be paid out of the Consolidated Revenue Fund of the Province. No extension of rural electricity supply is to be authorized without a specified number of customers per mile. The Province may make agreements with public utilities to pay part of the cost of serving any rural electric extensions. Where a public utility fails to make an electric extension in a rural district after the residents have petitioned for it, the Nova Scotia Power Commission may make the extension and the public utility must, if required, sell energy to the Commission at actual cost. The Commission may furnish equipment or facilities to any public utility or otherwise assist it, if the equipment or facilities of the public utility are inadequate. Provision is made for the collection of a provincial tax on consumers of electric energy for domestic, commercial or industrial use.

NEW BRUNSWICK

MOTOR VEHICLE ACT, S.N.B. 1955, c. 13; amendments: 1956, c. 19; 1957, c. 21; 1958, c. 19; 1959, c. 23; 1960, cc. 51, 52, 53; 1961-62, c. 62; 1963 (Second session), c. 29; 1964, c. 43; 1965, c. 29; 1966, c. 81.

Section 12 of this Act provides that an implement of husbandry which is only incidentally operated or moved upon a highway does not need to be registered. This includes a farm tractor designed for agricultural purposes and exclusively used by the owner in the conduct of his agricultural operations. No person shall knowingly permit his farm tractor to be driven by any person (including the owner's child or ward) when such person is not authorized under the Act. Where a person is in possession of a farm tractor under a contract by which he may become the owner, the person in possession shall be deemed the owner. Farm machinery with tires having protuberances beyond the tread of the traction surface of the tire is permitted to travel on a highway, provided such protuberances will not injure the highway. The Act further states that no person shall operate a motor vehicle on a highway while allowing any person to be towed, or attached in any manner, if the other person is riding upon any kind of device not capable of being registered under the Act.

SEASONAL EMPLOYMENT ACT, S.N.B. 1959, c. 12; amendments: 1960, c. 66; 1964, c. 53; 1966, c. 102.

Provision is made for the appointment of a committee, to be known as the Advisory Committee on Seasonal Employment and composed of not less than three nor more than eight persons representative of labor, management and government, to act in an advisory capacity to the Minister of Labour.

The Committee is required to keep the employment situation in the Province at all times under careful scrutiny and study; to co-ordinate seasonal employment programs carried on by public authorities and private enterprises; to initiate and arrange studies of seasonal employment trends, and to perform such other functions as may be prescribed.

The Province may also enter into and amend agreements with the Government of Canada, any municipality, or jointly with such authorities, to undertake and carry out projects that will provide the maximum utilization of the labor force.

(b) Crops

N E W F O U N D L A N D

PLANT PROTECTION ACT, S.N. 1954, c. 15.

"An Act Relating to the Protection of Plants and to the Prevention of the Spread of Insects, Pests and Diseases Destructive to Vegetation".

The Minister of Mines, Agriculture and Resources may, with the approval of the Lieutenant-Governor in Council, make regulations providing for the treatment and manner of treatment to be given any plant, container or premises to eradicate, control or prevent the spread of disease; prescribing who may give the treatment; providing for the seizure, confiscation and destruction of plants and containers that are infested with disease, providing for compensation, not to exceed two-thirds of the value of the plants or containers; providing for the quarantine of any area to control disease; prescribing the terms and conditions for the production and sale of seed potatoes, and similar matters. The powers and duties of inspectors are prescribed. The importation and selling of diseased plants is prohibited. Nurseries must be registered and are subject to inspection to ascertain that they are free of disease.

P R I N C E E D W A R D I S L A N D

WEED CONTROL ACT, S.P.E.I., 1955, c. 34.

No person shall deposit any noxious weeds or weed seed in any place where it is likely to cause weeds to grow or spread, or move any machine used for threshing, combining, seed-cleaning, chopping, baling, silo

filling, etc. without first removing all seeds and residue therefrom. Persons in charge of grain elevators, grist mills, flour mills, seed-cleaning plants, etc. shall dispose of all refuse containing weed seeds in such manner as will prevent the weed seeds from growing or spreading. Operators of seed-cleaning plants used by the public must be licensed and their plants have an efficiency not lower than the minimum standards prescribed by the regulations. The Lieutenant-Governor in Council may make regulations designating plants as noxious weeds, prescribing methods and procedures for the destruction of noxious weeds and weed seeds, regulating the transportation of farm produce that is infested with noxious weeds or weed seeds, and similar matters.

FIELD-ROOT SEEDS ZONING ACT, R.S.P.E.I. 1951, c. 58.

The Lieutenant-Governor in Council may proclaim any areas as special areas for the purpose of encouraging the growing of pure seed of any root crops and to prevent the cross pollination of such seed. No person shall grow within any such areas an open pollinated seed crop of a variety other than that for which the area is proclaimed.

POTATO PRODUCTION ACT, R.S.P.E.I. 1951, c. 114; amendments: 1956, c. 27; 1962, c. 28.

No person shall plant potatoes in the Province unless the seed used is of the class Foundation or Certified. This shall not apply on an individual property where potato crops do not exceed one-quarter acre in the aggregate, unless authority is granted by the Minister of Agriculture or otherwise declared by proclamation of the Lieutenant-Governor in Council. Each grower must register each field of potatoes for inspection, if for seed potato production to the District Seed Potato Inspector of the federal Department of Agriculture, if for table stock production to the provincial Department of Agriculture. Every grower must exercise necessary care to avoid any possible contamination with bacterial ring rot.

PLANT DISEASE ERADICATION ACT, R.S.P.E.I. 1951, c. 111; amendments: 1952, c. 34; 1953, c. 35; 1954, c. 25; 1956, c. 26; 1960, c. 29.

A Potato Industry Promotion Committee is established for the control of plant diseases or pests, for the promotion of educational and publicity activities designed to improve methods of production, for the extension and investigation of markets and the development of policies calculated to promote the best interests of the potato industry generally. Inspectors may be appointed who have powers of entry and may take specimens. A number of enforcement provisions in the Act prescribe the duties of growers and dealers when their farms or premises have been contaminated by any plant disease or pest, including the disposal of potato bags or containers and the disinfecting of implements, vehicles and equipment. Every carrier must supply information regarding the transportation of second-hand potato bags into the Province and of potatoes out of the Province, and every grower or dealer must supply information twice a year regarding the quantities of potatoes he has shipped out of the Province.

No person may move set cutting machinery, potato planting machinery or other equipment from one farm to another unless it has been thoroughly disinfected. Every operator of such machinery must register annually with the provincial Department of Agriculture, pay a registration fee, and receive and maintain a record book as prescribed and required by regulations under the Act. The record book must be signed by the person requiring the use of such equipment on his farm, to signify that disinfection has been satisfactorily carried out in his presence. Where any producer of potatoes suffers loss by reason of the presence of any plant disease in any potatoes shipped out of the Province, he may be reimbursed by a payment out of the Potato Industry Promotion Fund. This fund may also be used for the promotion of the potato industry generally.

#### NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

Part VIII of this Act provides for the appointment of a Provincial Agronomist who is to have all the powers of an inspector appointed under this part of the Act. The Governor in Council, upon the recommendation of the Minister of Agriculture and Marketing, may proclaim Pure Seed Areas within which no person shall grow an open pollinated seed crop of a variety other than that for which the area is proclaimed. Regulations may be made by the Governor in Council approving a variety or varieties of seed, providing for the inspection, testing and approval of such seed and the inspection of such areas and dealing with similar matters.

Part X of the Act deals with soil improvement. It provides for the appointment of a Provincial Chemist whose duty it will be to study and test soil to determine its suitability for certain agricultural purposes, to advise farmers as to the most economical and suitable use of fertilizers, to examine limestone deposits and encourage the use of limestone for agricultural purposes, and to analyze and determine the suitability of water, feeds, sprays and other substances used for agricultural purposes. The Governor in Council may operate limestone quarries, mills, and warehouses for the production and distribution of agricultural limestone and facilitate its distribution by rebates of freight rates, cash bonuses or other methods.

Part XI of the Act is designed to protect cranberries, foxberries and blueberries. In the Counties of Antigonish, Cumberland, Guysborough, Halifax, Richmond and Yarmouth, each municipality is to have a Berry Committee consisting of the Warden, Clerk, District Forester and the Agricultural Representative which shall fix the time when it shall not be lawful to pick or rake cranberries, foxberries or blueberries in the municipality. Until a Berry Committee otherwise orders, no berries of the three types may be harvested between August 1 and September 15 inclusive. A municipal council may pass a by-law prohibiting the use of a scoop, rake or other mechanical device for the harvesting of blueberries.

Part XII is entitled "Plant Diseases, Insects and Pests". A Provincial Entomologist may be appointed who shall have all the powers conferred upon an inspector under this part of the Act. The Governor in Council may make regulations making it unlawful for a person to possess any vegetation or vegetable or other matter that the Minister of Agriculture deems to be likely to introduce or disseminate any designated plant disease, insect or pest, providing for the treatment to be given to eradicate or control the disease or pest, prohibiting the sale of infected vegetation or vegetable matter, establishing quarantine areas, providing for the seizure, confiscation and destruction of infected vegetation and concerning similar matters. Inspectors may be appointed and they may be given power of entry.

Part XIII deals with the prevention, control and elimination of the apple maggot. It provides for continuation of the Apple Maggot Control Board, one member of which may be appointed by the Minister of Agriculture for Canada as long as the Federal government or parliament contributes to the work of apple maggot control in the Province. The Board, subject to the approval of the Governor in Council, may make regulations making it unlawful for a person to have in his possession any vegetable or other matter which is likely to introduce or disseminate apple maggot, providing for the treatment to be given any vegetable matter or premises to eradicate or control the apple maggot, providing that the occupier of premises on which the maggot is discovered must notify the Board, providing for the seizure, confiscation, disposal or destruction of vegetation infested with the apple maggot and dealing with similar matters. The Board may designate "Apple Maggot Control Zones" and prevent the movement of apples into the zone without the consent of the Board. The Board and its inspectors and officers have powers of entry. (For summaries of other parts of this Act, see under "Administration", "Agricultural Societies and Education", "Production - Livestock", "Marketing - General", "Marketing - Livestock and Livestock Products", and "Land Policy".)

POTATO INDUSTRY ACT, R.S.N.S. 1954, c. 219.

Upon application by at least 80 per cent of the potato growers in any area, the Governor in Council may establish the area as a certified foundation seed area or a certified seed area and may make regulations governing the planting, growing, digging, storing and conveying of potatoes in the area and the conveying of potatoes between the area and other parts of the Province, the source and quality of seed to be planted, standards of certification for foundation seed, compulsory rogueing, periods during which and the extent to which rogueing and removal of defective plants may be practised and the compulsory destruction of crops. Another part of this Act deals with disease control and empowers the Governor in Council to make regulations governing standards and grades of potatoes brought into or grown in any part of the Province, the treatment to be given any vehicle or container to prevent spreading any insect, pest or disease, the use of containers and vehicles intended to transport potatoes, sale and movement of potatoes from farm within a defined area, prohibition of sale of infected potatoes, confiscation of potatoes,

containers and vehicles, notification of the presence or suspected presence of any insect or disease and similar matters. Inspectors may be appointed and they shall have power to enter premises and vehicles and impose quarantine of premises and detain vehicles.

WEED CONTROL ACT, S.N.S. 1967, bill 82.

The Governor in Council may designate a plant as a noxious weed, either generally or in respect of any part of the Province. An occupant of any land shall destroy all noxious weeds as often as is necessary to eliminate them or to prevent the ripening of the seeds. The Act provides for the appointment of a chief inspector and district inspectors by the Minister of Agriculture and Marketing, as well as for municipal inspectors by the council of any municipality. The powers and duties of inspectors are described and also the liabilities of an occupant of land in the event of non-compliance with a direction from an inspector.

The Minister shall appoint a Weed Control Advisory Committee which must include at least one representative of the Nova Scotia Federation of Agriculture, for consultation on all matters concerning the administration of the Act. The Governor in Council, on the recommendation of the Minister, may make regulations prescribing methods and procedures for the destruction of noxious weeds and weed seeds, and to prevent the establishment of any noxious weeds; regulating or prohibiting the transportation of farm produce that is, or may be, infested with noxious weeds or weed seeds; providing for reimbursement of municipalities for money expended under the Act, and similar matters. The Act is effective from July 1, 1967.

#### N E W B R U N S W I C K

INJURIOUS INSECT AND PEST ACT, R.S.N.B. 1952, c. 110; amendment: 1957, c. 43.

The Lieutenant-Governor in Council may make such regulations as are deemed expedient to prevent the introduction into the Province or the dissemination therein of any insect, pest or plant disease seriously injurious to vegetation, and may designate the insect, pest and plant disease to which this Act shall apply. Such regulations may provide for the prohibition of admission into the Province of vegetable or other matter likely to introduce any insect, pest or plant disease, the method of treatment to eradicate or control a disease or pest, the collection from owners of the cost of treatment (including eradication), the prohibition of the sale of diseased or infected vegetation, the confiscation of infected vegetable matter and the container thereof, and the quarantining of areas where an insect or plant disease becomes a menace to crops. Inspectors may be appointed, and their rights and duties are prescribed.

POTATO INDUSTRY ACT, R.S.N.B. 1952, c. 172; amendments: 1954, c. 66; 1960-61, c. 60.

This Act includes the definition of "producer", "shipper" and "processor" of potatoes and potato products. Upon application by not less than 80 per cent of the growers in an area, the Lieutenant-Governor in Council may establish the areas as a certified foundation seed stock area or certified seed stock area or disease control area, and make regulations governing the planting, growing, digging, storing and conveying of potatoes in the area and the conveying of potatoes between the area and other parts of the Province. To control disease, the Lieutenant-Governor in Council may make regulations governing the standards and grades of potatoes entering into trade within any defined area; the treatment to be given to vehicles and containers and their use; the sale and movement of potatoes from farm to farm; the prohibition of sale of infected potatoes; the inspection of potatoes, containers and vehicles prior to shipment, and the confiscation of potatoes, containers and vehicles. Inspectors are to be appointed and their powers are specified.

Upon application by not less than 80 per cent of growers of potatoes who grew in excess of one acre of potatoes, an area may be designated a registration area. Every grower of more than one acre of potatoes in such an area must register annually with the Minister of Agriculture and Rural Development and pay a fee which will be placed in the Potato Industry Fund and used for the promotion and development of the potato industry. An Advisory Committee is to be appointed to advise the Minister and no moneys are to be paid out of the Potato Industry Fund except upon that Committee's recommendation. The New Brunswick Potato Growers' Council is to administer and direct the work performed with the Potato Industry Fund.

To promote and develop the potato industry, the Minister of Agriculture and Rural Development may organize producers, shippers and processors in separate groups, and where necessary for joint action, he may establish a joint committee representative of the separate groups so organized. The Minister may also make such regulations as may be required to give effect to these objectives.

ENCOURAGEMENT OF SEED GROWING ACT, R.S.N.B. 1952, c. 72.

Upon recommendation of the Minister of Agriculture and Rural Development, the Lieutenant-Governor in Council may establish special areas to encourage the growing of pure seed of any open pollinated farm or garden crop and to prevent the cross pollination of such seed. No person may grow in any such area any variety or strain of seed crop other than the variety or strain permitted by the regulations made under this Act. Regulations may be made approving a variety or varieties of seed; appointing inspectors to test and approve seed, and prohibiting the growing in an area of any variety or strain of seed other than the one for which the area is established.

(c) Livestock

NEWFOUNDLAND

THE LIVESTOCK (HEALTH) ACT, S.N. 1964, c. 79; amendment: 1965, c. 42.

"An Act Respecting the Prevention of Diseases in Livestock"

(This Act supersedes the Prevention of Animal Disease Act, R.S.N. 1952, and Amendments).

The Minister of Mines, Agriculture and Resources may make regulations prescribing measures to be taken and observed to establish a healthy and vigorous stock of animals, and to protect them from the introduction or spread of contagious or infectious animal diseases; precautions to be taken to isolate landed livestock; precautions for the landing of meats, raw hides, and other parts of dead livestock; the furnishing by importers and dealers of actual or proposed landings of livestock and of conditions as to animal diseases in places where such animals may be imported; rules for the slaughter of animals found to be dangerously infected, and for compensation of the owners thereof; procedure for combatting, controlling and eradicating any disease of livestock, and control of the storage, sale and use of livestock vaccines and drugs.

The Minister may appoint veterinary surgeons, inspectors and other officers for the purpose of carrying out this Act. The Act also provides for any part or parts of the Province to be designated Livestock Health Areas, and for the implementation of any arrangement made between the provincial and federal Ministers of Agriculture for co-operating in the control and eradication of livestock diseases.

LIVESTOCK ACT, R.S.N. 1952, c. 194; amendment: 1960, c. 26.

"An Act Respecting Livestock".

This Act deals with a number of matters respecting livestock, including the running of livestock at large upon enclosed lands, driving cattle without the owner's consent, the impounding of injured animals, the prohibition and impounding of animals running at large and liability for damage caused by such animals, a description of lawful fences, the erection of ground gates, the licensing of dealers in livestock, the duty of persons where livestock are killed or injured by a railway train or on the highway, and the prohibition against permitting mischievous animals to run at large.

NUISANCES AND MUNICIPAL REGULATIONS ACT, R.S.N. 1952, c. 72; amendment: 1964, c.5.

"An Act Respecting Nuisances and Municipal Regulations".

Sections 21 to 24 of this Act provide that the owners of stallions, bulls, rams or he-goats which are at large are liable for any damage they may cause; set forth the ages at which animals not intended for breeding purposes and not kept strictly on the owner's premises must be castrated, and require owners of stock being reared for breeding purposes to supply a description of each animal to the nearest Agricultural Society or Justice of the Peace. Sections 27 to 32 deal with the impounding of stray animals, setting forth how animals are to be impounded, the duties and powers of impounders and the schedule of fees for impounders.

PROTECTION OF ANIMALS ACT, R.S.N. 1952, c. 137.

"An Act Respecting the Protection of Animals".

This Act prohibits certain acts of cruelty to animals and provides penalties for infractions. It provides that a Justice of the Peace may order the destruction of any animal injured by cruelty. It also provides

for compensation for damage or injury caused by cruelty, sets forth the power of a constable to cause the destruction or removal of a diseased or injured animal, makes certain provisions regarding the slaughtering of animals, places restrictions on the right to kill animals found at large, gives the chief agent of the society for the Protection of Animals the powers of a police constable, and deals with the procedure to be followed when an animal is injured by a train, automobile or motorcycle.

DOG ACT, S.N. 1966, c. 72.

"An Act to Regulate and Restrict the Keeping of Dogs and to Provide for the Payment of Compensation to the Owners of Sheep in Respect of Certain Losses caused by Dogs".

(This Act supersedes the Dog Act, R.S.N. 1952, and Amendments).

The Act requires the licensing of all dogs kept in the Island of Newfoundland, except in the cities of St. John's and Corner Brook. Owners must hold a valid dog licence and the dog must wear a collar and licence tag. Unless on a leash, or being used for lawful hunting or working with sheep, every dog must be kept safely tethered or penned up at all times. Unlicensed dogs may be destroyed by a constable or any other authorized person, and no dog of the Esquimaux breed may be brought into or kept in the Island of Newfoundland. In Labrador, dogs must be kept safely tethered or penned up, except when on a leash or engaged in lawful hunting or working with sheep. Any dog found at large may be destroyed.

A Sheep Owner's Compensation Account is established from which compensation may be paid to owners of sheep killed by one or more dogs or of sheep which have died within seven days of any injury inflicted by one or more dogs.

The Act also provides for the destruction of dogs found killing, maiming or worrying persons, and for the liability of any owner for damages or injury done by a dog to any person, livestock, or any goods or property of any kind.

The Lieutenant-Governor in Council may prohibit the keeping of dogs in any part of the Province, and any dog found in a prohibited area may be destroyed.

#### P R I N C E   E D W A R D   I S L A N D

STALLION ENROLLMENT ACT, R.S.P.E.I. 1951, c. 150.

No person may stand, travel, advertise or offer for service any stallion unless it has been enrolled and a certification of registration received by the owner. Before enrollment each stallion must be inspected. There are four grades of certificates for purebred stallions and two classifications for grade or crossbred stallions. The method of inspection

and complaints by owners regarding the reports of inspectors are also dealt with in the Act. If no enrolled stallion is available for service in any district, the Minister of Agriculture may issue a provincial certificate for the use of a stallion that has not been inspected, until such time as inspection can be carried out.

ARTIFICIAL INSEMINATION ACT, S.P.E.I. 1957, c. 2.

"An Act Respecting Artificial Insemination".

The Act provides for a board, known as The Artificial Insemination Advisory Board, to act in an advisory capacity to the Minister of Agriculture and the Provincial Animal Pathologist and Veterinarian. The Lieutenant-Governor in Council may make regulations dealing with licences, fees, requirements and minimum standards, and penalties.

BANG'S DISEASE ERADICATION ACT, R.S.P.E.I. 1951, c. 17; amendments: 1952, c. 6; 1955, c. 1.

This Act provides for the establishment of Restricted Areas for the eradication of Bang's Disease (brucellosis in cattle) and prohibits the shipping or moving of cattle into such areas unless the cattle are accompanied by a certificate from a qualified veterinarian to the effect that they are free of the disease. Inspectors may be appointed and inspectors and officers of the Health of Animals Division of the Canada Department of Agriculture may be designated inspectors under the Act. Inspectors have power to enter premises and take specimens and the Minister of Agriculture has power to order premises quarantined and order their cleaning and disinfecting. The 1952 amendment extends the provisions of the Act, including the establishment of restricted areas, to any disease which affects not only cattle but also horses, sheep, swine and fowls. The 1955 amendment provides for financial assistance to the owners of animals ordered slaughtered under the provisions of this Act.

DOMESTIC ANIMALS ACT, R.S.P.E.I. 1951, c. 45; amendments: 1954, c. 12; 1958, c. 12; 1965, c. 7.

Part I of this Act provides for the holding of a meeting by each school district for the purpose of making regulations, in addition to the prohibitions provided in this Act, with respect to the times of the year in which any animal shall not be allowed to run at large. In the absence of regulations to the contrary, each school district shall be a closed district and no horses, cattle, sheep or hogs shall be allowed to run at large between April 15 and December 15 each year. This does not create any civil liability on the part of the owner of animals for damages caused to the property of others as a result of such animals running at large on any highway.

The Reeve of the school district, who is appointed at the aforesaid meeting, is responsible for enforcing the regulations and his powers and duties in respect to seizure and sale of animals running at large are specified. Part II, which deals with running at large generally, provides that no stallion over one year old, nor bull over seven months old, nor ram over three months old nor any swine shall run at large at any time of year. Provision is made for the seizure of such animals running at large by the Reeve or any other person aggrieved, and for the subsequent care and disposal of the animals. Part III deals with unruly or dangerous animals and provides for a court order that they be confined. Part IV is concerned with trespasses by animals, appraisal of damage they may commit and the action that may be taken against the owners of animals for recovery of damages. Part V deals with stray animals.

DOG ACT, R.S.P.E.I. 1951, c. 44; amendment: 1965, c. 6.

This first Part of this Act provides for the levy of a dog tax for school purposes. The rates of tax are specified. If the tax is not paid, the dog in respect of which the tax is unpaid may be ordered to be destroyed. The second Part deals with the protection of livestock (cattle and sheep). Any person may kill any dog found killing or injuring livestock or found straying and not under proper control upon premises where livestock are kept. Where any livestock has been killed or injured by a dog, the owner of the dog is liable for damages. Forty-eight hours after the owner of livestock injured by a dog has given notice of the injury to the owner of the dog, the latter must have the dog destroyed. If the owner does not do so, a justice (stipendiary magistrate) may issue a summons against him and, if the complaint is proved, order the killing of the dog by a peace officer. To carry out the order, the peace officer may enter upon the premises of the owner and kill the dog.

POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E.I. 1951, c. 116; amendment: 1956, c. 29.

Part II of this Act is concerned with poultry production. It authorizes the Lieutenant-Governor in Council to prescribe a program, to be known as the Poultry Improvement Program, for the improvement of poultry stock and the eradication of disease therein; requiring hatcherymen to register annually the names of their marketing agents and to keep available for inspection records of production and marketing of chicks and poultry; prescribing the types, sizes, specifications, labelling and marketing of packages used by hatcherymen for the marketing of chicks; prescribing measures of sanitation for hatcheries; prescribing measures for inspection, banding and marketing of chicks and poultry; prescribing the method of applying the pullorum test; prescribing where and when the Dominion Hatchery Approval Policy and the regulations thereunder shall be in force and permitting registration under the Dominion Hatchery Approval Policy by any person operating a hatchery regardless of capacity. The Lieutenant-Governor in Council may appoint a Hatchery Committee to administer certain regulations of the Act. All persons operating hatcheries must have permits from the Hatchery Committee. The powers and duties of inspectors under this Act are prescribed. No person shall ship or accept

for shipment chicks from any place within the Province unless the chicks have been produced and labelled as required under the Dominion Hatchery Approval Policy and were produced in approved hatcheries using only eggs from flocks approved under a flock approval policy. (For a summary of Part I of this Act, see under "Marketing-Livestock and Livestock-Products").

APIARY INSPECTION ACT, R.S.P.E.I. 1951, c. 8.

Provision is made for the appointment of one or more Inspectors of Apiaries who shall make an inspection of all apiaries in June of each year and other inspections where necessary to discover and suppress all bee diseases of a contagious and infectious nature. The powers of inspectors are prescribed. Cases of foul brood or other disease must be reported and dealt with according to this Act. It is an offense for a beekeeper to sell or move away any bees, hives, appliances or product where a contagious or infectious disease exists among the bees. An inspector may order the transfer of bees to movable frame hives. No person engaged in rearing queen bees for sale shall use honey in the making of candy for use in the mailing cages unless the honey has been boiled for at least 30 minutes. He must also have his queen-mating apiaries inspected at least twice each summer. All bees imported into the Province in hives or on combs are in quarantine on the premises of the owner who must notify the Minister of Agriculture within 10 days and he must not sell or dispose of the bees or any honey or appliances until permission is obtained from the inspector and the bees are declared free from disease.

MINK PROTECTION ACT, R.S.P.E.I. 1951, c. 98; amendment: 1956, c. 24

Mink imported into the Province must be carried by one of the government subsidized steamships or railway lines and be inspected by an authorized veterinary officer and subject to further inspection for 10 months. The method of carrying mink, the segregation, confining and quarantining of mink, the duties of persons in notifying the appropriate authorities concerning the appearance of disease among mink and, in general, all measures designed to eradicate and prevent disease among mink, are set out in the Act.

VETERINARY ASSISTANCE ACT, R.S.P.E.I. 1951, c. 170.

To encourage veterinarians to practise, the Minister of Agriculture may pay to each veterinarian annually an amount to be determined by the Lieutenant-Governor in Council, provided the veterinarian complies with the regulations made under this Act. The Act provides for regulations respecting the terms and conditions of these payments, prescribing the maximum fees that may be charged by assisted veterinarians, dividing the Province into zones for the purposes of this Act, directing such veterinarians to comply with the Public Health Act when required by any Public Health Officer, and prescribing the uniform fees to be charged by such veterinarians in any district or zone.

NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c.13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

Part III of this Act, under the title "Encouragement of Cattle Breeding", prohibits the running at large of a bull over eight months old and forbids the keeper of a scrub bull to allow the bull to serve any cow that is kept within a prohibited area (i.e. an area within the boundaries of any agricultural society and any other area that is declared by the Governor in Council to be a prohibited area for the purposes of this part of the Act). It does, however, permit the president or secretary of an agricultural society to allow the servicing of a cow by a scrub bull where it is impracticable to procure the services of a purebred bull. This Part also provides for the establishment of Purebred Cattle Areas within which no person may keep a scrub bull for breeding purposes or any bull over the age of eight months that is not a purebred bull.

Part IV provides that all stallions being offered for use for breeding purposes must be registered annually and a certificate of enrollment obtained. All stallions must be inspected and certificates are issued in four classes, the requirements for each class being specified in the Act. Copies of certificates must be displayed inside and outside every building where a stallion is used for public service and certificates must be produced, if demanded. This Part lists the diseases or malformations considered in determining the enrollment classification.

Part V makes provision for the organization of the Nova Scotia Poultry Association as a body corporate with the objects of enabling poultry breeders to confer together for the interchange of information on poultry and pet stock breeding and to encourage the holding of poultry and pet stock shows. However, this organization is now inoperative. Section 79 of this Part empowers the Minister of Agriculture and Marketing, with the approval of the Governor in Council, to make regulations prescribing a policy to be known as the Nova Scotia Hatchery Approval Policy for the improving of poultry stock and the eradication of disease. These regulations may prescribe standards and grades for chicks, poultry and hatcheries, for approved flocks for breeding purposes and for operating policies and sanitation of hatcheries, measures for the inspection and banding of poultry and marketing of chicks, methods of applying tests for disease in chicks and poultry and similar matters.

Part VI of the Act deals with the artificial insemination of cattle, horses, sheep and swine. An Artificial Insemination Advisory Board is established to advise the Minister, and the Governor in Council is empowered to make regulations requiring the licensing of artificial insemination centers and technicians, prescribing the requirements and minimum standards for artificial insemination centers, prescribing the qualifications of technicians and providing for the keeping of records and furnishing of information.

Part XIV is concerned with the prevention and treatment of contagious diseases among bees. Every person owning or possessing bees must be registered for the current year. All bees imported into the Province in hives or on combs and all bees among which a contagious or infectious disease exists shall be in quarantine on the premises of the owner who must notify the Minister within ten days of the receipt of the bees or of the outbreak of the disease and may not allow the removal of the bees or bee equipment until a certificate is received from the Minister. Provision is made for the appointment of a Provincial Apiarist and inspectors and their powers are prescribed. Inspectors must order that bees be kept in movable hives. No beekeeper may sell or remove from his premises any bees or used apiary appliances until he has secured a certificate from the Minister that they are considered free from disease. Every beekeeper must notify the Minister if he is aware of or suspects disease in his own or any other apiary. (For summaries of other parts of this Act, see under "Administration", "Agricultural Societies and Education", "Production - Crops", "Marketing - General", "Marketing - Livestock and Livestock Products", and "Land Policy".)

BRUCELLOSIS CONTROL ACT, S.N.S. 1955, c. 3.

Brucellosis control areas may be established under appointed committees and all female calves in these areas must be vaccinated. The Act prescribes how inspectors and veterinarians are to be appointed for the purpose of carrying out these vaccinations. Regulations may be made by the government prescribing the types of vaccines, methods of vaccination, ages of animals that must be vaccinated, duties of inspectors and dealing with similar matters.

STRAY ANIMALS ACT, R.S.N.S. 1954, c. 276.

This Act describes how stray animals may be detained by the occupant of the land upon which they stray, how the municipal clerk must be notified, how the animals may be sold where no claimant appears and how the proceeds of the sale are to be applied. Other sections provide that dogs found chasing or worrying sheep may be killed and the owners of such dogs shall have no right of action against the persons killing them. Municipal councils may make by-laws for preventing or regulating the going at large of horses, cattle, sheep, dogs, swine, vicious animals and geese.

SHEEP PROTECTION AND DOG REGULATION ACT, R.S.N.S. 1954, c. 262.

Part I of this Act empowers municipal councils to make by-laws regarding the taxation, registration, restraint and killing of dogs. It prescribes how dog taxes are to be collected and dog tags issued. Part II deals with the protection of sheep. It makes the municipality liable to the owner of a sheep for damages if the animal is killed by a dog, whether the owner of the dog is known or not. It provides for the appointment of sheep valuers by each municipality and outlines their duties. The municipality may recover from the owner of a dog any sums it has paid

out in damages as a result of the killing of a sheep by the dog. Where a dog is known to have killed or injured sheep the owner, on being duly notified, shall cause the dog to be killed within 48 hours. If he neglects to kill the dog, he may be summoned before a magistrate or justice of the peace and the latter may order a constable to enter the premises and kill the dog.

LIVESTOCK BRANDS ACT, R.S.N.S. 1954, c. 156.

This Act provides for the allotment of brands for horses, cattle, sheep, swine and domestic fowl upon application to the Provincial Animal Husbandman and their registration, transfer and publication. No person shall brand any livestock except with the brand allotted to him. A tariff of fees is appended.

FENCES AND IMPOUNDING OF ANIMALS ACT, R.S.N.S. 1954, c. 97.

Part of this Act deals with compensation for damage inflicted by another person's animals breaking into and destroying the product of any enclosure. It describes how appraisal of damages shall be determined. It also deals with impounding and the pound keeper's duties and fees and how claims for damages and the charges of pound keepers are to be recovered from the owners of the animals. The County of Halifax, upon petition of a majority of ratepayers, may pass a by-law permitting cattle to run at large. In this case, no action for damage caused by cattle running at large shall be maintainable, unless the land on which the damage was committed is enclosed by a lawful fence. (For a summary of the remainder of this Act, see under "Land Policy - Land Tenure".)

VETERINARY ASSISTANCE ACT, R.S.N.S. 1954, c. 304; amendment: 1958, c. 68.

A municipal council may establish a veterinary assistance board for the municipality or part of the municipality or may unite with other municipalities for the purpose. The composition of each board is specified. The objects of a board are to encourage and enable veterinarians to practise in the municipality, to enable them to confer and exchange information, to disseminate information and instruction on animal diseases and to render financial or other assistance to veterinarians practising in rural areas or the more sparsely settled rural areas. Provision is made for the payment of provincial grants to boards and for the levying of a special municipal tax for the upkeep of boards. A board may make regulations respecting the terms and conditions of payments to veterinarians, maximum fees that may be charged by veterinarians receiving assistance from the board, prescribing uniform rates and similar matters. The Governor in Council may appoint a Veterinary Assistance Advisory Board to assist in co-ordinating the activities of local boards, advising boards and make recommendations to the Minister of Agriculture and Marketing respecting the amounts to be paid to boards by the provincial government.

N E W B R U N S W I C K

BANG'S DISEASE CONTROL ACT, S.N.B. 1956, c. 8; amendments: 1957, c. 23; 1964, c. 15.

The Lieutenant-Governor in Council may constitute the whole or any portion of the Province an area for the eradication of Bang's Disease pursuant to the Animal Contagious Diseases Act (Canada) and Regulations thereunder.

The Minister of Agriculture and Rural Development may appoint inspectors for the purposes of the provincial Act or designate inspectors or officers of the Health of Animals Division of the Department of Agriculture of Canada as inspectors under this Act. Provision is made for the inspection of animals, their vaccination and quarantine, and the disinfection of premises where suspect conditions exist. The duties of owners and inspectors in a control area are specified.

BOVINE TUBERCULOSIS ACT, R.S.N.B. 1952, c. 21.

The sale of cattle known to be affected with tuberculosis is prohibited. It is also forbidden to destroy the mark which an inspector, appointed under this Act, may place upon cattle that have been inspected and found to be affected with tuberculosis.

WARBLE FLY FREE AREA ACT, R.S.N.B. 1952, c. 245.

Upon receipt of a petition signed by at least 75 per cent of the cattle owners in any area and with the approval of the Minister of Agriculture and Rural Development, the Lieutenant-Governor in Council may establish the area as a Warble Fly Free Area. The Minister shall then appoint a committee from among the owners in the area to enforce the provisions of this Act and take all reasonable measures for the eradication of warble fly infestation in the area. The Minister shall appoint inspectors under the Act who may enter premises, treat infested cattle and recover the fees for treatment from the owner.

ARTIFICIAL INSEMINATION ACT, R.S.N.B. 1952, c. 11.

Provision is made for the appointment of an Artificial Insemination Advisory Board to advise the Minister of Agriculture and Rural Development. The Lieutenant-Governor in Council may make regulations prescribing the powers and duties of the Board; providing for the licensing of artificial insemination associations and technicians; prescribing requirements and minimum standards for associations, and the qualification of technicians, and providing for the keeping of records and the making of returns.

SHEEP PROTECTION ACT, S.N.B. 1966, c. 25.

(This Act supersedes the Sheep Protection Act, R.S.N.B. 1952).

Where a sheep is killed or injured by a dog, the owner of the sheep may, within 48 hours, notify the Minister of Agriculture and Rural Development. When such notice is received, the Minister shall appoint a valuator to investigate the complaint, and to report, within 10 days, the results of his investigations and his recommendation to the Minister, with a copy sent to the owner of the sheep.

If the owner of the sheep is not satisfied with the recommendation, he may appeal within 10 days to the Minister, whose decision, to be given within 10 days of receipt of the appeal, shall be final. The Minister of Finance and Industry, on the order of the Minister of Agriculture and Rural Development, shall pay to the owner of the sheep the amount recommended by the valuator or decided upon by the Minister after appeal.

When payment is made to the owner of the sheep, the Minister may recover that amount, as well as the expenses of the investigation, from the owner of the dog.

Where a dog is known to have killed or injured sheep, the Minister may order the dog to be destroyed. A person may kill a dog which he finds killing or injuring a sheep, and the defendant in any action for damages for killing a dog in such circumstances may plead "not guilty by Statute" and give the special matter in evidence.

POUNDS ACT, S.N.B. 1966, c. 21.

(This Act supersedes the Pounds Act, R.S.N.B. 1952.)

The Act provides that, when an animal breaks through a lawful fence, or is found at large, any person may file a complaint with the Minister of Agriculture and Rural Development. A pound keeper may investigate the complaint and, if necessary, take the animal into custody.

The pound keeper is required, within three days, to advise the owner of the animal or, if the owner is not known, to advertise in a newspaper details of the animal found. If the animal is not claimed within 14 days thereafter, the pound keeper may sell the animal at auction after giving seven day's notice. Out of the proceeds of the sale, the pound keeper shall pay all expenses connected with the impounding and sale, any surplus to be paid to the owner, if claimed by him within 14 days of the sale.

STALLION ENROLMENT ACT, R.S.N.B. 1952, c. 216.

All stallions must be enrolled annually before the owners may stand, travel or advertise them or offer them for service. Before being enrolled, a stallion must be inspected and the inspector must make a report thereof to the Minister of Agriculture and Rural Development.

Enrolment certificates shall be issued for purebred stallions only and the enrolment certificate must form a prominent part of any advertisement of the stallion. Under certain conditions, the Minister may permit an unregistered stallion to be used for service in a particular district.

(This Act has not been enforced since cancellation of the Stallion Premium Policy.)

BRANDING ACT, R.S.N.B. 1952, c. 23.

This Act prescribes the method of applying for brands and deals with the allotting of brands and their cancellation. The Act includes a table of fees and provides penalties for such offences as branding livestock with a brand other than the owner's, or defacing a brand.

SOCIETY FOR THE PREVENTION OF CRUELTY ACT, R.S.N.B. 1952, c. 214; amendments: 1956, c. 61; 1958, c. 52; 1959, c. 71; 1960, c. 71.

This Act specifies the powers of the New Brunswick Society for the Prevention of Cruelty to Animals, and authorizes the Society to establish branch societies in any municipality of the Province. The Act also prescribes the duty of any person who finds an animal at large, and the duty of an agent of the Society to destroy an animal found at large which is suffering from an incurable disease or broken limb or other cause that would incapacitate it from further use. Restrictions are placed on the sale, barter, display or gifting of baby chicks, ducklings or other fowl. The Lieutenant-Governor in Council may make any regulation considered advisable with respect to horse-hauling contests.

Constables are required to assist officers of the Society (who may also have the privileges of a constable) in enforcing the law. Agents of the Society have power to seize animals in order to protect them from neglect or cruelty on the part of their owners.

Any person operating a motor vehicle which strikes or injures a domestic animal is required to stop, notify the owner of the animal or a peace officer, and take reasonable and appropriate action so that the animal may receive proper care.

POULTRY HEALTH PROTECTION ACT, R.S.N.B. 1952, c. 173.

Under this Act, the Lieutenant-Governor in Council may make regulations to provide that no person may possess poultry infected with a contagious disease; to prohibit the admission of infected poultry into the Province; to forbid the entry of poultry unless certified free of disease by the Veterinary Director General (Canada); to provide for the segregation and destruction, without compensation to the owner, of infected poultry, and to define contagious diseases.

APIARY INSPECTION ACT, R.S.N.B. 1952, c. 7.

All bees imported into the Province in hives or combs and all bees among which a contagious or infectious disease exists shall be in quarantine on the premises of the owner who must notify the Minister of Agriculture

and Rural Development within 10 days and may not remove the bees or any used apiary appliances from the premises until he has been granted a certificate that the bees and appliances have been disinfected and are free of disease. No person may keep a colony of bees infected with foul brood or other infectious disease. Provision is made for the appointment of inspectors to inspect apiaries annually; instruct beekeepers in the action to be taken where disease is discovered; order the transfer of bees to movable frame hives, and perform other similar duties. Special instructions to persons engaged in the rearing of queen bees are contained in the Act. The spraying of trees in full bloom with mixtures containing substances injurious to bees is prohibited.

GAME ACT, R.S.N.B. 1952, c. 95; amendments: 1953, c. 20; 1955, c. 49; 1959, c. 49; 1960, c. 35; 1960-61, c. 45; 1963 (Second session), c. 22.

Sections 72 to 75 inclusive of this Act deal with fur farming. No person, without the written approval of the Minister of Natural Resources, shall have in his possession or release from captivity in the Province any fur-bearing animal. Every fur farmer is required to make an annual report to the Minister concerning the animals in his possession and those sold or purchased during the year. It is forbidden without the owner's consent to approach within 25 yards of the outer fence of an enclosure where animals are kept, or to break through the enclosure within which such animals are kept. Any person may kill any dog which is found lurking about an enclosure where fur-bearing animals are kept for breeding purposes, and which is annoying or terrifying the animals.

### 3. LAND POLICY

#### (a) Development, conservation, drainage and irrigation

##### N E W F O U N D L A N D

CROWN LANDS ACT, R.S.N. 1952, c. 174; amendments: 1954, c. 57; 1957, c. 57; 1959, c. 66; 1962, c. 10; 1963, c. 76; 1964, c. 64; 1965, c. 60; 1966, c. 40.

"An Act Respecting Crown Lands, Timber and Water Power".

Part I of this Act deals, among other things, with the lease of Crown Land for purposes of agriculture, specifying the amounts of land that may be leased and the terms and conditions of leases.

Such leases are for a term of five years and, provided the lessee cultivates 25 per cent of the land in that time, he may receive, on application, a grant of the land, subject to certain terms and conditions. Land may also be leased for raising livestock or cultivating wild fruit, and the Minister may issue a grant in fee simple to any person of an area of Crown Lands not exceeding 10 acres to any one person, subject to such terms and conditions and for such consideration as the Minister prescribes. Another part of this Act describes the leasing of water power.

The 1957 amendment deals with the protection of trees growing within 333 feet of the center line of a highway except for trees cut on private fenced land. The Governor in Council may make further regulations to control the cutting of trees of different species, and in different sections of the Province. The amendment also provides for controls over the construction, alteration or replacement of dams and other activity affecting the natural flow of any stream, lake or waterway.

Under the 1964 amendment, the Minister may acquire for the Crown all or any part of the right to cut timber or any land located in Newfoundland.

The Act prohibits pasturing of animals on islands abandoned by inhabitants, where there still remains private property, church property, cemeteries or any other thing which could be damaged by animals.

THE UNIMPROVED LANDS (REDISTRIBUTION) ACT, S.N. 1957, c. 67; amendments: 1959, c. 46; 1961, c. 17.

"An Act to Provide for the Redistribution by the Crown of Certain Unimproved Lands".

The Act applies to the lands granted by the Crown whether the lands are now held by the grantees named in the grants or have passed to any other person, partnership or association. Any land to which the Act applies may be expropriated for such uses as the development of agriculture or forestry; the utilization, disposal or development of any product of the forest; the construction or extension of any city, town, village or settlement; the construction, extension, maintenance or repair of roads; or for the dedication to the public of the use of an existing road. Any person authorized by the Minister of Mines, Agriculture and Resources may enter upon any land in order to obtain a plan and description of the land. Owners of land expropriated will be compensated at the rate of 30 cents an acre. When land is expropriated under this Act the title to all surface rights is to be vested in the Crown. Expropriated land is to be dealt with under the Crown Lands Act and the Crown Lands (Mines and Quarries) Act.

LAND DEVELOPMENT ACT, R.S.N. 1952, c. 189; amendments: 1957, c. 44; 1962, c. 57.

"An Act Respecting Land Development".

This Act describes how tracts of land may be set aside to establish land development areas, either Crown Land or privately held land which may be purchased or expropriated. The Minister of Mines, Agriculture and Resources may then lay out a land development area, select settlers for it and spend money for the transfer of settlers to the area, the clearing and cultivation of land, the construction of shops, stores, sawmills, dwelling houses and outhouses and the purchase of implements, livestock, poultry, seeds and fertilizers. The Act specifies how a licence for occupation shall be issued to a settler for a probationary period; how a

lease for five years may then be granted to him; how, if he fulfills certain conditions respecting the cultivation of the land, the settler may then be given a grant of the land.

The Act has been used exclusively for the settlement of World War II veterans and to give titles to settlements established during the period 1934-39.

The Crown also has the right to purchase all land not being Crown Land in a land development area.

ABANDONED LANDS ACT, R.S.N. 1952, c. 186.

"An Act to Render Certain Abandoned Lands Available for Agriculture".

The Act outlines the legal procedures whereby land granted or licensed to persons under the Crown Lands Acts which has been unused and unoccupied for forty years may be ordered to revert to the Crown. This process has not been employed to any extent.

DEPARTMENT OF COMMUNITY AND SOCIAL DEVELOPMENT ACT, S.N. 1966, c. 42.

"An Act Respecting the Department of Community and Social Development".

(This Act supersedes the Agricultural Rehabilitation and Development Act, 1963).

The Act, which establishes a Department of Community and Social Development, provides that the Minister of Community and Social Development, after giving reasonable notice to any owner or occupier of land (if the latter are known, available or easily contacted), may authorize any agent, engineer, servant, or workman employed by or under him to enter upon any survey such land, and to make such borings, or sink such trialpits, and cut such trees as he deems necessary for any purposes relative to the work under his control.

If agreement cannot be reached between the Minister and a landowner as to any compensation that may be payable, the amount shall be ascertained in the same manner as that provided by law for assessing compensation where land is expropriated.

#### NOVA SCOTIA

LAND AND FORESTS ACT, R.S.N.S. 1954, c. 145; amendments: 1955, c. 29; 1957, c. 30; 1957, c. 30; 1958, c. 40; 1960, c. 36; 1961, c. 34; 1962, c. 32; 1963, c. 27; 1964, c. 29, 30; 1965, c. 33.

The Minister of Lands and Forests is given supervision over the management, lease and sale of Crown Lands, the protection of all forests and timber lands and the preservation of game and game fish. Part I of the Act deals with the Crown Lands and includes reservations to the Crown of certain lands and mineral rights, the method of making grants of land for agricultural and grazing purposes and for settlement and the conditions attached to such grants. It also covers the leasing of Crown Land for various purposes including the cutting of timber. In Part III, which deals with game, Sections 131 to 133 are concerned with fur farming. A fur farmer must have a permit from the Minister and must make certain

returns annually, and submit such reports as the Minister may from time to time require. It is forbidden to enter a fur ranch without the owner's permission and no owner of a dog is to permit it to enter a ranch where fur-bearing animals are kept.

Any Crown land which may be more advantageously used for residential or commercial, than for agricultural, purposes may be subdivided into residential or commercial building lots, under the authority of the Governor in Council. Electric power lines, telegraph and telephone pole lines, water, sewer, gas or oil pipe lines may also be constructed and maintained, subject to permission from the Minister, in or on Crown lands.

#### DITCHES AND WATER COURSES ACT, R.S.N.S. 1954, c. 17.

This Act provides that the owners of adjoining lands are to construct, improve and maintain ditches and drains in proportion to their interests in them unless the municipal engineer otherwise directs. Proper outlets must be provided for all ditches. Where an owner does not keep his section of a ditch in reasonable repair and a complaint is made to the municipal council, the engineer will examine the ditch, report to the council, and if the complaint is well founded, the council may order the work done. The Act deals with the settlement of disputes regarding ditches, the duties of the engineer in making awards and assessing for costs, and the method of making appeals against the engineer's decisions.

#### TILE DRAINAGE ACT, S.N.S. 1939, c. 7.

Municipalities may borrow limited amounts of money by the issue of debentures and use the proceeds to lend to owners of land to enable them to construct tile, stone or timber drains. The Act specifies the terms and conditions upon which municipalities may make these loans.

#### WATER ACT, R.S.N.S. 1954, c. 312; amendments: 1955, c. 51; 1962, c. 54; 1963, c. 42; 1964, c. 51; 1965, c. 56.

All water courses are vested in the Crown and the Governor in Council may authorize persons to use or undertake surveys for the use of any water course of the water therein for agricultural or other purposes, on terms within his discretion.

The 1963 amendment provides for the appointment by the Governor in Council of a Nova Scotia Water Authority of not fewer than three members. An Advisory Board to the Authority may also be appointed, the Board to consist of not less than 10 members, at least one of whom should be employed by or represent the provincial Department of Agriculture and Marketing.

The Authority is vested with the control of: the use of all surface, ground and shore waters of the Province; allocation of the use of water; pollution originating within the jurisdiction of the Province; and alteration of the natural features of any water course or lake and the natural movement of water therein.

Provision for the establishment of water and sewage works by municipalities and others; for agreements respecting water and sewage works between the provincial government and other parties, and for the establishment of water and sewage works' authorities is also made in the Act.

MARSH ACT, R.S.N.S. 1954, c. 169.

The Governor in Council, at the request of any proprietor (includes owner, tenant, trustee and mortgagee in possession), may appoint commissioners of sewers for any county in which a marsh is situated or, if the marsh is in two counties, for the two counties jointly. A majority in interest of the proprietors of any tract of marsh may select three commissioners of sewers, who shall have no interest in the tract, to constitute a board for setting a rate under this Act where necessary, for appraising compensation for damages between any proprietor and the commissioner in charge and for consultation regarding the practicability of any work. The proprietors may select from among the commissioners one person to be commissioner in charge. The latter must appoint a clerk to keep the books and accounts, a collector to collect all rates and contributions, one or more overseers to assist the commissioner in charge and auditors. The power of the commissioner in charge extends to the construction of new works and the maintenance and repair of old works and he may contract for the performance of the work, employ and provide workmen, machinery, tools and materials and require the proprietors to furnish workmen, teams, tools and materials in proportion to the amount to be rated upon the proprietors in the judgment of the commissioner. The Act deals with the procedure to be followed before work is commenced, compensation for damages, remuneration of officers, apportionment of expenses among the proprietors, work by persons on their own land, injury to a marsh by a proprietor, claims between two tracts of marsh, union of tracts, formation of new tracts, power to borrow, appointment and duties of arbitrators, meetings of the proprietor and other similar matters.

MARSHLAND RECLAMATION ACT, R.S.N.S. 1954, c. 170; amendments: 1958, c. 45; 1967, bill 102.

A Marshland Reclamation Commission may be appointed to advise the Minister of Agriculture and Marketing on matters related to the reclamation and protection of marshland and its development and maintenance for agricultural purposes. The Minister is empowered to construct, reconstruct, recondition, repair, maintain or operate works for the protection, drainage and improvement of marshlands and, for such purposes, may enter into agreements with the Government of Canada, the government of any other province, any department or person; may purchase or rent real and personal property, and engage all necessary employees, consultants and contractors. The owners or occupants of marshland may petition for the creation and incorporation of the owners as a marsh body for the purpose of constructing, repairing, maintaining and operating suitable works. The Act prescribes the form of organization and the powers of a marsh body and the manner of assessment and rating of the owners, the borrowing power of a body and its powers of entry and expropriation.

N E W B R U N S W I C K

AGRICULTURAL REHABILITATION AND DEVELOPMENT ACT, S.N.B. 1961-62, c. 38.

The Minister of Agriculture and Rural Development may, with the approval of the Lieutenant-Governor in Council, enter into an agreement with the Government of Canada for the joint undertaking of projects for the more efficient use and economic development of marginal and submarginal agricultural lands; for the development of income and employment opportunities, and for improving living standards, in rural agricultural areas. Such agreement may include provision for payment to the Province of contributions in respect of the cost of projects undertaken. For the purpose of assisting toward these ends, the Minister may cause to be prepared and undertaken with the Government of Canada, any agency thereof, any educational institution, or person, programs of research and development, and the co-ordination of such programs, making use as far as possible of the services and facilities of departments or agencies of the Government of the Province.

The Minister may also enter into an agreement with the Government of Canada for the joint undertaking of projects for the development and conservation of water supplies for agricultural purposes, and for soil improvement and conservation that will increase agricultural efficiency. Provision may be made for the payment to the Province of contributions in respect of the cost of such projects, and programs of research and investigation may be initiated by the Minister in these fields.

The Lieutenant-Governor in Council may create a body corporate and politic, with appropriate powers, as an agency of the Government of the Province to carry out the terms of any agreement made under this Act.

CROWN LANDS ACT, R.S.N.B. 1952, c. 53; amendments: 1954, c. 35; 1955, c. 42; 1957, c. 33; 1959, c. 39; 1960, c. 23; 1961-62, c. 7; 1963 (Second session), c. 18; 1964, c. 25; 1966, c. 47.

Sections 52 to 61 of this Act provide for the granting of Crown lands for settlement. The Minister of Natural Resources may, upon the order of the Lieutenant-Governor in Council, grant to the Farm Adjustment Board such portions of the Crown lands of the Province suitable for agricultural development as may be deemed desirable in the public interest, upon payment by the Board for such lands at their real and true value. The Board may then deal with such lands as authorized by the Farm Adjustment Act. The Minister may also ratify a transfer or alienation to an applicant of rights in improvements from a settler unable to carry out the settlement requirements, but the period of residence of a settler upon his settlement lot is not transferable. The Lieutenant-Governor in Council may make such regulations as he deems necessary for determining the terms and conditions upon which settlement lots are to be granted. Some of the conditions precedent to the issuing of grants may be waived for war veterans.

Sections 65 and 66 deal with the leasing of Crown lands, other than for the cutting of trees, as may be considered advisable.

DRAINAGE OF FARM LANDS ACT, R.S.N.B. 1952, c. 65; amendment: 1966, c. 50.

When a farm drainage ditch must run through the property of an adjacent owner, application may be made to the Minister of Agriculture and Rural Development to construct such ditch or drain. The Minister, or anyone designated by him to act on his behalf, may investigate the need for the drainage, the damage that will be done to any property, the estimated cost, the value of the drainage to the land served by the ditch, and the amount that should be assessed upon each property which will receive benefit from the drainage. Although agreement should be sought among the interested parties, the ditch or drain may be constructed whether or not agreement is obtained. If a person is not satisfied with the amount for damage as determined by the Minister, the person may refer the matter to the Land Compensation Board.

MARSHLAND RECLAMATION ACT, R.S.N.B. 1952, c. 141.; amendments: 1954, c. 59; 1956, c. 46; 1958, c. 47; 1960, c. 48; 1966, c. 77.

A Marshland Reclamation Commission may be appointed by the Lieutenant-Governor in Council to advise the Minister of Agriculture and Rural Development regarding the reclamation and protection of marshland and its development and maintenance for agricultural purposes; to examine proposals for the construction, repair, maintenance or operation of works, and make recommendations to the Minister thereupon. The Minister may construct, repair and operate works recommended by the Commission and may enter into agreements with Canada, a Body, or a person for the constructing, reconstructing, reconditioning, repairing, maintaining, conducting or operating of works at the joint expense of the parties to the agreement.

Upon petition of two-thirds of the owners of an area of marshland who own at least half the area, the Minister may grant a Certificate of Incorporation to the owners in the area creating a Marsh Body. The Certificate may be issued, however, only if recommended by the Commission. A Marsh Body is empowered to acquire, hold, sell and lease real and personal property; construct, recondition, repair, maintain and operate works; enter into agreements with the Province or any person for the construction, reconditioning, repair, maintenance and operation of the works, and raise money by borrowing. The Act provides for an executive committee for each Body and deals with elections, the conduct of meetings, budgets, the special reserve fund, powers of entry and expropriation, and by-laws.

WATER ACT, S.N.B. 1960-61, c. 19; amendment: 1965, c. 47.

(This Act supersedes the Water Resources and Pollution Control Act, S.N.B. 1956, c. 14, and amendments).

A New Brunswick Water Authority, responsible to the Minister of Municipal Affairs, is provided for in this Act and may be appointed by the Lieutenant-Governor in Council. An Advisory Board to the Authority, consisting of not less than 10 nor more than 15 members, may also be

appointed, one of these persons being a representative of the Department of Agriculture and Rural Development.

The Authority has control of the use of all surface, ground and shore waters; the allocation of the use of water; pollution originating within the jurisdiction of the Province, and alteration of the natural features of any water course or lake and the natural movement of water therein. The Minister, with the approval of the Lieutenant-Governor in Council, may assist a municipality with any plan, works, or undertaking for controlling or preventing pollution. Penalties are provided for contravention or non-compliance with any provision of the Act, or its regulations, by any person or municipality.

(b) Settlement

N E W F O U N D L A N D

VETERANS' LAND SETTLEMENT ACT, R.S.N. 1952, c. 190.

"An Act to Authorize the Execution on behalf of Newfoundland of an Agreement between the Government of Newfoundland and the Government of Canada for the Settlement of Veterans on Provincial Lands and for other Purposes".

This Act authorizes the Minister of Mines, Agriculture and Resources to enter into an agreement with the Government of Canada for the settlement of veterans on provincial lands according to the terms of the Veterans' Land Act (Canada) and provides for reserving areas of the Crown Lands for this purpose.

P R I N C E E D W A R D I S L A N D

RE-ESTABLISHMENT ASSISTANCE ACT, R.S.P.E.I. 1951, c. 140; amendment: 1956, c. 35.

The Lieutenant-Governor in Council may make regulations for the administration of any fund which may be provided to assist in the re-establishment of needy farmers and fishermen. These may provide, among other things, for the purchase of suitable land and its allocation to farmers' sons or other young men who give promise of becoming competent farmers, the provision of livestock, seed and fertilizer to operate these farms, the provision of instruction for these assisted farmers, and in general, the carrying out of any measures which are necessary for the rehabilitation of substandard farms and assistance of necessitous farmers.

N O V A S C O T I A

AGRICULTURE AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

The Nova Scotia Land Settlement Board is continued with the organization set forth in Part XIX of this Act. Its purposes and duties are to acquire, hold and dispose of farms and subdivide agricultural land, to acquire, hold

and dispose of livestock, agricultural machinery and equipment, to erect buildings, make permanent improvements and carry on farming operations, to enter into any agreement with the Government of Great Britain, of Canada or of any part of the British Empire, or with any organization, public or private, for the settlement or operation of lands in the Province, to acquire expropriated land from the Province to encourage farm settlements and to approve or reject applications for the purchase of farms, stock, agricultural machinery or equipment. The selling price of any property to a settler must not exceed its cost to the Board, no agreement of sale may be made for more than \$15,000 (except in the case of a group of borrowers, where the maximum is \$24,000) or for a longer term than 30 years or extend beyond the 66th birthday of the settler, the interest rate may not exceed five per cent and there are other terms specified. Under this part of the Act a settler means any male person who is a Canadian citizen, or who has satisfied the Board of his intention to become a Canadian citizen, who is between the ages of 21 and 50 and who has had at least two years practical experience at farm work. (For summaries of other parts of this Act, see under "Administration", "Agricultural Societies and Education", "Production-Crops", "Production - Livestock", "Marketing-General" and "Marketing-Livestock and Livestock Products".)

AN ACT TO ASSIST THE SOLDIER SETTLEMENT ACT, S.N.S. 1919, c. 22.

The Governor in Council is authorized to make agreements with the Soldier Settlement Board created by the federal parliament in 1917 and make available to the Board any lands owned or acquired by the Province.

N E W B R U N S W I C K

FARM ADJUSTMENT ACT, S.N.B. 1966, c. 9; amendment: S.N.B. 1967, c. 40.

(This Act supersedes the Farm Settlement Act, R.S.N.B. 1952, and amendments.)

The Farm Adjustment Board is constituted as a body corporate, responsible to the Minister of Agriculture and Rural Development. The Board may acquire, deal with, lease, sell or otherwise dispose of land; make loans for the purchase of farms or of additional land for existing farms, for the erection of farm buildings and facilities, or for the buying of essential farm equipment and livestock; make loans and grants to convert ineffectively used land to a more effective use, to establish and improve woodlots, and to persons affected by land use and farm adjustment projects; undertake research and investigations required for the formulation of programs and projects, and undertake or assist in projects involving land use or land management aimed at increasing income and employment opportunities in rural areas.

The Act also deals with the procedure to be followed should a lessee or purchaser fail to carry out any term or condition of an agreement; repossession, and the rights and obligations of heirs in the event of the death of a lessee or purchaser.

All agreements and obligations entered into under the Farm Settlement Act remain in force, but a new agreement may be negotiated under the Farm Adjustment Act in substitution for the original.

SOLDIER SETTLEMENT ACT, R.S.N.B. 1952, c. 215.

This Act describes how Crown and privately owned lands may be granted to the Soldier Settlement Board for conveyance to World War I veterans.

(c) Tenure and Assessment

N E W F O U N D L A N D

REGISTRATION OF DEEDS ACT, R.S.N. 1952, c. 141; amendments: 1955, c. 29; 1956, c. 6; 1963, c. 58; 1964, c. 70; 1966, c. 4.

"An Act Respecting the Registration of Deeds and Other Documents".

This Act provides for a registry for deeds and other documents for the Province, and describes how registration shall be made and the effect of it. It also deals with requirements for searches and includes a schedule of fees.

THE QUIETING OF TITLES ACT, R.S.N. 1952, c. 157.

"An Act Respecting the Quieting of Titles".

This Act provides that any person claiming to be the owner of any land shall be entitled to have his title judicially investigated and declared, whether he has the legal estate or not, and whether his title is or is not subject to any charge or encumbrance.

The Act also sets out the procedure to be followed in respect of application, and evidence given, to the Supreme Court; adverse claims; the awarding of certificates of title, and the effect of fraud in obtaining a certificate.

NEWFOUNDLAND AND LABRADOR POWER COMMISSION ACT, S.N. 1965, c. 20; amendment: 1956, c. 5.

Subject to the prior approval of the Lieutenant-Governor in Council, the Newfoundland and Labrador Power Commission may acquire by purchase, lease, expropriation or otherwise, any land, waters, water privileges, water powers, rights, easements, privileges, property rights or every description, and works that it deems useful for its purposes. The Commission, with Ministerial approval, may also erect and maintain poles, wire cables, structures and works along the sides of, and over, Crown land, public roads, streets and bridges in the Province. (For a summary of other part of this Act, see under "Production - General".)

P R I N C E   E D W A R D   I S L A N D

REGISTRY ACT, R.S.P.E.I. 1951, c. 143; amendments: 1956, c. 36; 1957, c. 31; 1960, c. 35; 1964, c. 28.

This Act provides for the appointment of registrars, describes how the registry books shall be kept, prescribes the proof necessary for registry and the duties of registrars, provides for searches and copies, describes the effect of non-registration, deals with assignments and releases and descriptions of lands and similar matters, and sets out the schedule of Registrar's fees.

Certificates of discharge of mortgages need only be filed and not copied at full length in the Register books. Any documents bearing the seal of the Farm Credit Corporation and attested by a member or authorized officer of the corporation, may be registered without proof of execution.

LANDLORD AND TENANT ACT   R.S.P.E.I. 1951, c. 82.

This Act deals with the relationship between landlord and tenant in connection with leases and tenancies and is concerned with covenants, waste by tenants, defects in leases, licences to tenants, forfeiture of leases, notices to terminate tenancies, renewals of leases, distress for rent and the proceedings thereunder and ejectment proceedings. Section 31 provides that there may be taken under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, livestock and other domestic animals which are grazing, pasturing or feeding upon any highway or way belonging or appertaining to the premises in respect of which the rent distrained for is payable. Section 35 states that any sheaves or cocks of grains, or grain loose, or in the straw, or hay, lying or being in any barn or granary or otherwise upon the land charged with the rent may be distrained. Sections 36 to 38 provide that growing crops distrained for rent may be cut, gathered, cured, threshed and laid up in the barns or other places on the demised premises or on nearby premises by the landlord or the growing crops may be sold by the landlord without being reaped, threshed or marketed.

DIVISION FENCE ACT, R.S.P.E.I. 1951, c. 43; amendment: 1958, c. 11.

It is the duty of every owner or occupier of land which adjoins improved, cultivated or enclosed land of another person to build and keep in repair his proper part or proportion of fencing at least four feet high between his land and the adjoining land. If the owner or occupier neglects or refuses to do this, after 20 days' notice, the owner or occupant of the adjoining land may apply to two fence viewers for the appropriate township. Fence viewers are appointed by any judge of the Supreme Court of the Province. The fence viewers shall view the fence and they may apportion the duty to build or repair the fence and ten days after this the applicant may cause the fence to be built or repaired and submit an account of the cost to the fence viewers. If the fence viewers approve the cost incurred, the applicant may take action in any court of

competent jurisdiction to recover the share of the cost allotted to the owner or occupier of the adjoining land and he is entitled to recover double the amount as liquidating damages, together with the fees of the fence viewers and the cost of the action.

This Act does not apply to any village, town or city covered by the Village Service Act, 1954.

EXPROPRIATION ACT, R.S.P.E.I. 1951, c. 53.

This Act sets forth the terms and conditions under which the Province may expropriate land for any public work.

GAME ACT, R.S.P.E.I. 1951, c. 67; amendments: 1956, c. 13; 1958, c. 14.

Section 5 of the Act exempts resident farmers and rural laborers from the requirement that no person may angle for trout or salmon or hunt any upland game bird or migratory game bird or hare or rabbit unless a licence is issued to him under this Act.

FISH AND GAME PROTECTION ACT, S.P.E.I. 1959, c. 13; amendments: 1963, c. 13; 1966, c. 15.

Section 22 of this Act exempts resident farmers, farm laborers or their wives from the need to possess a licence for hunting or trapping. Licences are not required by residents to hunt fur-bearing animals during their open season or such other birds and animals at such times as the Minister administering the Act may designate. Fur-bearing animals may not be hunted within 200 yards of any fur farm.

NOVA SCOTIA

REGISTRY ACT, R.S.N.S. 1954, c. 248; amendments: 1956, c. 39; 1958, c. 61.

Registration districts are established with a registrar of deeds in each. The Act describes the duties and entitlements of registrars, how registration of instruments is to be made, the effects of registration, the discharge of registered instruments and other similar matters.

COMMUNITY LAND TITLES CLARIFICATION ACT, S.N.S. 1964, c. 3.

(This Act, together with the Quieting Titles Act, S.N.S. 1961 and amendment, supersedes the Land Titles Act, S.N.S. 104 and amendment.)

The Community Land Titles Clarification Act provides that where the residents of any area of a municipality are in necessitous circumstances as a result of lack of property development, or where there appears to be confusion as to the ownership of land, the Governor in Council may, with the approval of the council of the municipality, designate such areas as a Land Titles Clarification Area.

Procedure as to claims to own land in a Land Titles Clarification Area; the appointment and powers of a commissioner to examine claims, and the investigation of claims for any payment of compensation are also provided for in the Act.

QUIETING TITLES ACT, S.N.S. 1961, c. 9; amendment: 1962, c. 66.

This Act which provides in detail for the judicial ascertainment of rights in real property, describes how action may be taken by any person who claims a property right in land; the course to be followed if the judge is not satisfied with the statement of claim and supporting materials, and the granting, issue, registration and effect of a certificate of title.

LAND ACTIONS VENUE ACT, R.S.N.S. 1954, c. 143.

All actions for trespass to lands, or in which possession or recovery of lands is sought, and all actions in which the title to lands is in issue, shall, unless the Court or a judge otherwise orders, be tried in the county in which the lands lie and, if these lie in more than one county, then in any of the counties in which any part of the lands lie.

TENANCIES AND DISTRESS FOR RENT ACT, R.S.N.S. 1954, c. 287.

This Act is concerned with the procedure to be followed in distressing goods for non-payment of rent and the types of goods that may or may not be seized. Sheaves or cocks of grain, grain loose or in the straw, hay in a barn or upon a hovel, stack or rick, or upon the land charged with the rent may be locked up or detained upon the premises by the landlord. Corn, grain, grass, hops, roots, fruits, pulse or other products growing on any part of the demised premises may be seized and the landlord may cut, gather, cure, carry and lay up the same, when ripe, in barns or other places on the premises or on other premises nearby. Any cattle or stock of the tenant feeding upon any common belonging to any part of the premises demised, may be seized as a distress for rent in arrear and due. The following goods are exempt from distress for rent, in addition to the wearing apparel, beds and household furnishings customarily exempt: all necessary fuel, meat, fish, flour and vegetables, actually provided for family use sufficient for the ordinary consumption of the debtor and his family for 30 days and not exceeding \$40 in value; one cow, two sheep and one hog, and food therefor for 30 days; and tools, implements and chattels ordinarily used in the debtor's occupation to the value of \$30.

OVERHOLDING TENANTS ACT, R.S.N.S. 1954, c. 208; amendments: 1961, c. 7; 1962, c. 64.

This Act sets forth the remedies open to a landlord when a tenant refuses to go out of possession of the land demised to him after his tenancy has ended. It outlines the procedure to be followed in securing action by the courts and also deals with appeals against the decisions of the courts.

FENCES AND IMPOUNDING OF ANIMALS ACT, R.S.N.S. 1954, c. 97.

Part of this Act deals with fences, prescribing the construction and height of lawful fences and providing for appeal from the judgment of fence viewers. The Act also deals with the duties of owners of adjoining land

with regard to partition fences and the action that may be taken when one owner neglects or refuses to build or maintain his proportion of the fencing. The duties of fence viewers and their rates of remuneration are given. (For a summary of the remainder of this Act, see under "Production - Livestock".)

EXPROPRIATION ACT, R.S.N.S. 1954, c. 91; amendments: 1955, c. 25; 1958, c. 31; 1961, c. 28.

This Act provides that the Minister having supervision of public works may purchase, acquire or expropriate any land which he may deem necessary for, among other purposes, encouraging farm settlements in the Province. Should the Minister and a landowner be unable to agree on the amount of compensation, the Minister may appoint a person, not in the public service of the Province, to determine the amount to be paid.

The Act also lays down the procedure to be followed in expropriation and deals with compensation claims and awards.

COMMON FIELDS ACT, R.S.N.S. 1954, c. 39.

This Act deals with the boundaries and fences between lands individually owned and common lands, how they are to be maintained and repaired. If any proprietor in a common field desires to have his part separately fenced, he must bear the cost, unless otherwise agreed to by two-thirds in interest of the proprietors. Proprietors of common fields must hold an annual meeting and may make regulations enforceable at law. They must appoint a committee of not less than three or more than five to execute their regulations and they may assess the proprietors for necessary works. The brands of animals using the common field must be entered in the book of regulations of the common field.

ANGLING ACT, R.S.N.S. 1954, c. 9.

Any resident of the Province has the right to go on foot along the banks of any river, stream or lake across any uncultivated lands for the purpose of fishing with rod and line. The owner may be compensated only for actual damages caused by the person crossing his land for this purpose. However, this right shall not apply to the land of an occupant licensed for fishing rights by the municipal council.

ASSESSMENT ACT, R.S.N.S. 1954, c. 15; amendments (of concern to agriculture), 1956, c. 17; 1958, c. 20; 1962, c. 20.

Section 3 of this Act exempts from municipal taxation the property of agricultural societies, farming implements to the value of \$200, or to such larger amount not exceeding \$2,000 that the council may from time to time provide, and the produce of any farm belonging to the person who raised or produced the same.

LAND TAX ACT, R.S.N.S. 1954, c. 144; amendment: 1955, c. 28.

Each year every person who is the occupant of more than 1,000 acres of land in the Province must pay a tax to the Province on all his land in excess of 1,000 acres at the rate of one per cent of the value of the land. The method of valuing land for this tax is specified in the Act, as well as the method of assessment, the hearing of appeals from the decisions of the assessors, the method of collecting the tax, the treatment of overdue taxes, including forfeiture of lands for tax arrears, and the imposition of additional taxes and penalties. Except as otherwise provided in the Act, the value of lands for the purpose of taxation is to be \$2 an acre.

PUBLIC HIGHWAYS ACT, R.S.N.S. 1954, c. 235; amendments: 1956, c. 38; 1957, c. 41; 1959, c. 37; 1960, c. 44; 1961, c. 43; 1963, c. 33; 1965, c. 42.

Section 32 of this Act requires that all physically fit male persons between the ages of 16 and 20, residing within every road section or division, are required to work with their shovels on the highways during the winter whenever the highways become impassible from snow. Persons in regular attendance at any public school are not required to do this work during school hours. The overseer of each road section may order the persons required to work to attend for the work either forthwith or at any time or hour of the day that the overseer designates. A person ordered to work may provide a competent person to work in his place or pay a tax of \$5 per day for the use of the municipality for snow removal. Upon petition of a majority of persons in a road section, the expense of snow removal may be levied by the municipal council as a charge upon the rate-payers of the area.

Section 21 prohibits, without consent, the sale of any produce within 150 feet of the limit of a controlled access highway, and the erection or extension of any building or other structure within 200 feet of the limit of such highway. Section 40 similarly forbids, without consent, the erection of a building within 100 feet of a highway boundary or 133 feet of the centre line of the travelled portion of a highway. Section 42 permits the Minister of Highways and Public Works to order the entry of private lands to construct, repair or maintain drains along public highways. Section 43 prohibits the owner or occupant of land permitting water from his land to flow upon the highway and makes him liable for damage incurred thereby. The Minister is also empowered to prohibit or regulate the erecting or maintaining of advertisements close to highways. The Act further provides authority for the Minister to reserve land for a period not exceeding five years, in anticipation of public highway construction and for the right of appeal against this by landowners.

N E W B R U N S W I C K

ABANDONED LANDS ACT, R.S.N.B. 1952, c. 1.

Whenever it appears to the Minister of Natural Resources that land in the Province has been abandoned and the whereabouts of the registered owner or his heirs or next-of-kin are unknown, the Minister may take proceedings

to revest the land in the Crown. The Act prescribes the notice that must be published, how claims to the land are to be filed, and what the Order-in-Council revesting the land must contain.

REGISTRY ACT, R.S.N.B. 1952, c. 195; amendments: 1955, c. 70; 1956, c. 56; 1959, c. 66; 1960, c. 62; 1961-62, c. 67; 1963 (Second session), c. 35; 1966, c. 93.

This Act establishes a registry office in each county, prescribes the duties of the registrar and describes how instruments affecting lands are to be registered and the effect of such registration. A schedule of fees is appended to the Act.

QUIETING OF TITLES ACT, R.S.N.B. 1952, c. 190.

Any person claiming to be the owner of any land is entitled to have his title thereto judicially investigated and its validity ascertained and declared, whether or not he has the legal estate and whether or not his title is subject to a charge or encumbrance. The Act also prescribes the method of application to the Supreme Court; the manner of proof; the awarding of certificates of title; the effect of fraud in obtaining a certificate, and the procedure for re-investigations and appeals.

LANDLORD AND TENANT ACT, R.S.N.B. 1952, c. 126; amendments: 1954, c. 51; 1955, c. 58; 1959, c. 57.

Section 26 of this Act provides that a landlord may take under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, live-stock and other domestic animals which are grazing or feeding upon any highway, road allowance or way belonging to the premises for which the rent distrained is payable. Sections 30 and 31 provide that a landlord may distrain sheaves or cocks of grain or grain loose or in the straw or hay, lying in any barn or granary which is on any part of the land charged with the rent and he may take growing crops as a distress for rent. Sections 32 and 33 allow the landlord who takes growing crops as a distress for rent to harvest and sell them or to sell them standing. The Act, in general, covers the relationship between landlord and tenant and deals with such matters as covenants running with the land and the reversionary estate in the land, waste by tenants, defects in leases, rights of re-entry, licences to tenants, forfeiture of leases, notices to terminate tenancies, distress for rent, impounding distrainable goods taken on execution, renewals of leases, proceedings against overholding tenants and summary proceedings for non-payment of rent.

LAND COMPENSATION BOARD ACT, S.N.B. 1964, c. 6; amendment: 1966, c. 74.

This Act provides for the establishment of a Land Compensation Board, with a Chairman and members appointed by the Lieutenant-Governor in Council. The Board has the jurisdiction and power to hear and determine all applications made, proceedings instituted and matters referred to or brought before it and for such purposes may make orders, rules and regulations, give directions, issue certificates and perform such other matters necessary or incidental to the exercise of its powers.

Where land or other property has been expropriated, the amount of compensation or damages payable shall, unless agreed upon by the parties, be referred to the Board, as also shall the amount of any monetary claim which is required to be determined by arbitration. Any arbitration in which the amount involved exceeds \$2,000 may, with the consent of the parties, be referred to the Board. Except with the consent of the parties, the Board does not have jurisdiction in any arbitration under the City of St. John Urban Renewal Expropriation Act, or where arbitrators have already been appointed to determine a dispute and the hearing has not been completed.

FENCES ACT, R.S.N.B. 1952, c. 84; amendment: 1966, c. 56.

This Act defines lawful fences. The Lieutenant-Governor in Council may make regulations respecting the designation of roads and other boundaries as lawful fences; the running at large of cattle, and the setting aside of areas as grazing areas. The Act also deals with the liability of owners of adjoining lands concerning line fences, the method of settling line fence disputes, and the rights and duties of fence viewers. The Minister of Agriculture and Rural Development may appoint one or more fence viewers.

TRESPASSES TO LAND AND LUMBER ACT, R.S.N.B. 1952, c. 236; amendments: 1953, c. 24; 1956, c. 67.

Where any trees, timber or lumber on lands held under lease or licence from the Crown are cut down, carried away, or otherwise or destroyed, the licensee shall, as against all persons except the Crown, be deemed to be the owner of such trees, timber or lumber with all rights incidental thereto, and in possession of such lands for the purpose of maintaining an action for damages and compensation.

SALES OF LANDS PUBLICATION ACT, R.S.N.B. 1952, c. 200; amendments: 1961-62, c. 9; 1966, c. 97.

This Act sets forth the procedures to be followed when making a sale of lands, or interest therein, under execution by a Sheriff, Supreme Court order, probate court licence, or power of sale under a mortgage, and the required contents of any advertisement or notification of sale in "The Royal Gazette".

ASSESSMENT ACT, S.N.B. 1965-66 (Second session), c. 110.

Section 4 of this Act exempts from taxation the real property of, or the real property occupied by, agricultural societies and agricultural exhibition associations not organized or incorporated for commercial purposes.

The Act also provides that real property in actual and bona fide use as farm land shall be assessed at its real and true value as farmland. Where farm woodlots are held in blocks of 200 acres or more, they are to be assessed at a value that would realize a tax of 25 cents per acre per year; where held in blocks of less than 200 acres, assessment is to be at their real and true value or at a value that would realize a tax of 25 cents per acre per year, whichever is the lesser.

4. FARM FINANCE

(a) Loans and Mortgages

N E W F O U N D L A N D

FARM DEVELOPMENT LOAN ACT, S.N. 1953, c. 29.

"An Act to Create a Farm Loan Board and to Provide Loans for Farm Development".

The Farm Development Loan Board is established as a body corporate to administer the Farm Development Loan Fund. The Board may make loans or advances for the purpose of improving and developing the agricultural industry of Newfoundland but only under the terms and for the purposes prescribed by its regulations which are subject to approval by the Lieutenant-Governor in Council. The Act lists the kinds or regulations which may be made.

P R I N C E E D W A R D I S L A N D

AN ACT TO PROVIDE ASSISTANCE TO ESTABLISH YOUNG FARMERS IN AGRICULTURE, S.P.E.I. 1959, c. 12; amendments: 1960, c. 16; 1961, cc. 11, 12; 1963, c. 12; 1965, c. 8; 1966, cc. 12, 13; 1967, bills 33, 66.

This Act provides for the appointment, by the Lieutenant-Governor in Council, of the Prince Edward Island Farm Establishment Board, as a body corporate, to make loans to assist young farmers in the establishment, development and operation of their farms. The Board is under the control and direction of the Minister of Agriculture. The Lieutenant-Governor in Council may also authorize grants to the Board from time to time up to a total sum not exceeding \$5 million. Any loan by the Board, which may be made only for the purpose of acquiring or improving farm land, buildings and equipment, or for paying off encumbrances, shall not exceed \$10,000, and shall be secured by a first mortgage on the lands farmed, or to be farmed by the borrower. The Board may make a further loan of up to \$10,000 to a borrower of good standing to purchase additional land, but such loan is not to exceed 85 per cent of the value of the additional security as shown by the valuator's report. No loan shall be made for more than 25 years, or for a period that will carry the term of repayment beyond the borrower's 65th birthday.

To qualify for a loan, a borrower must be between the age of 21 and 50 years; be a resident as defined by the regulations, and be of sufficient good health to obtain any insurance on his life that may be required under the Act or negotiated by the Board. A life insurance policy or assignment thereof, or a chattel mortgage, may be accepted as collateral security.

POTATO CROP MORTGAGE ACT, R.S.P.E.I. 1951, c. 113; amendment: 1966, c. 29.

No mortgage or other lien upon any growing crop of potatoes is valid unless it is executed as security for the purchase price and interest thereon of seed potatoes, fertilizer or spray material or as a security for the performance of an agreement to sell or deliver potatoes in consideration of the sale or delivery of seed potatoes, fertilizer or spray material. The mortgage or other lien must be given upon a crop of potatoes which is sown within one year of the date of execution of the mortgage or lien. The seed, fertilizer or spray material mortgage will rank prior to other liens.

SEED GRAIN SECURITY ACT, R.S.P.E.I., 1951, c. 147.

A memorandum of security for the purchase price of seed grain, if executed in favor of the Provincial Treasurer, is a first charge upon the lands described in the memorandum, except only for the school district land tax; if executed in favor of a mortgage or unpaid vendor, it ranks equally with his existing security by way of mortgage or vendor's lien and payment may be enforced in the same manner as the mortgage or sale agreement. Provision is made for the Provincial Treasurer to sell land upon which payment of the sum secured is in default.

JUDGMENT AND EXECUTION ACT, R.S.P.E.I. 1951, c. 78; amendments: 1952, c.24; 1961, c. 20; 1966, c. 21.

Section 26 of this Act provides that the following chattels shall be exempt from seizure under a writ of execution: the necessary wearing apparel, beds and bedding of the debtor and his family, and the tools and implements of his trade or occupation, one cooking stove, fuel and food for the ordinary use of the debtor and his family, and one cow, not exceeding in all the value of \$500.

N O V A S C O T I A

AGRICULTURE AND RURAL CREDIT ACT, S.N.S. 1967, bill 95.

This Act authorizes the establishment of the Nova Scotia Farm Loan Board, consisting of not more than five members appointed by the Governor in Council. The Board is to be the successor of the Nova Scotia Land Settlement Board and takes over all property, rights, obligations and liabilities of that Board.

The objects of the new Board are to make loans to, or to guarantee the loans of, a borrower for the purpose of acquiring or improving any farm, plant, machinery or equipment; to acquire, hold and dispose of farms or buildings, livestock, agricultural machinery and other equipment deemed essential to the success of the borrower; to acquire, hold, subdivide and dispose of agricultural lands; to erect buildings, make permanent improvements and carry on farming operations on farms or other lands owned by the

Board; to acquire any land expropriated under the Expropriation Act for the purpose of encouraging agricultural production and similar duties. Subject to the approval of the Governor in Council, the Board may prescribe the manner in which applications for loans may be made, and the terms and conditions accompanying such loans; the terms and conditions upon which property of the Board may be sold and disposed of; the limits for loans and rates of interest; the forms of mortgages; agreements and other documents, and other relevant matters.

With the approval of the Governor in Council, the Minister of Finance and Economics may advance to the Board such sums of money as are considered necessary to carry out the provisions of the Act. The Act takes effect from April 1, 1967.

JUDICATURE ACT, 1950 (Authorized by S.N.S. 1949, c. 11, and proclaimed October 19, 1951).

Order XL, Rule 40, of this Act exempts from seizure under a writ of execution, in addition to certain wearing apparel, household furnishings and food, the following; one cow, two sheep and one hog and food therefor for 30 days, and the tools and implements of, or chattels ordinarily used in, the debtor's occupation to the value of \$30.

#### N E W B R U N S W I C K

FARM LOANS ACT, S.N.B. 1963 (Second session), c. 4.

If a bank or credit union which makes a loan to a farmer for the purchase of cattle, sheep or swine, sustains a resulting loss within five years after making the loan or such further time as the Act may prescribe, and if the making of the loan has been reported within the required time to the Minister of Agriculture and Rural Development and a claim for loss has been lodged in accordance with the prescribed procedure and time, the Minister of Finance and Industry, on the order of the Minister of Agriculture and Rural Development, shall pay the lender 50 per cent of the loss sustained, or \$2,500, whichever is the lesser.

FARM CREDIT CORPORATION ASSISTANCE ACT, S.N.B. 1965-66 (Second session), c. 112.

Subject to regulations by the Lieutenant-Governor in Council respecting the conditions under which payments may be made, the Minister of Finance and Industry shall, if the Minister of Agriculture and Rural Development orders, pay the difference, not exceeding three per cent, between an annual interest of  $2\frac{1}{2}$  per cent and that charged by the Farm Credit Corporation on the capital of loans made to farmers of the Province.

TILE DRAINAGE LOANS ACT, R.S.N.B. 1952, c. 229.

The Tile Drainage Board is established as a body corporate and politic for the purpose of making loans to farmers to enable them to construct tile, stone or timber underdrains. All loans are to be made on the security of

mortgages of the farm lands on which the drains are constructed. The amount loaned to any one farmer or in respect of any one farm shall not exceed \$1,000 or 75 per cent of the cost of the drainage works for which the loan is made. A loan shall be repayable in equal annual instalments over a period of not more than 10 years. The rate of interest is to be determined by the Lieutenant-Governor in Council.

ASSISTANCE TO INDUSTRY ACT, S.N.B. 1960-61, c. 3.

This Act establishes an Industrial Development Board for the Province. Agriculture is included in the definition of "industry" in Section 1 of the Act. The Board has the power and authority, *inter alia*, to make loans and advances to, and to guarantee the repayment of loans by, persons, associations or corporations engaged in industry directly or indirectly, a municipality of the Province or a corporation sponsored by such a municipality, for the purpose of industrial development or expansion.

MEMORIALS AND EXECUTIONS ACT, R.S.N.B. 1952, c. 143; amendment: 1957, c. 46.

Section 33 of this Act provides that the following goods are exempt from seizure under execution in addition to the household furnishings and wearing apparel customarily exempt. All necessary fuel, meat, fish, flour and vegetables actually provided for family use and required for ordinary consumption by the debtor and his family for three months and not exceeding \$100 in value; two horses and sets of harness, two cows, 10 sheep, two hogs and 20 fowl, and food therefor for six months; tools, agricultural implements or chattels, ordinarily used in the debtor's occupation, to the value of \$200; and seed grain and potatoes for seeding and planting purposes to the following quantities: 40 bushels of oats, 10 bushels of barley, 10 bushels of buckwheat, 10 bushels of wheat and 35 barrels of potatoes.

(b) Income Assistance

P R I N C E   E D W A R D   I S L A N D

PRINCE EDWARD ISLAND CROP INSURANCE ACT, S.P.E.I. 1967, bill 73.

A body corporate, named the "Prince Edward Island Crop Insurance Agency", is established to carry out and administer this Act under the direction, supervision and control of the Minister of Agriculture. The Agency is to consist of five directors appointed by the Lieutenant-Governor in Council.

The Agency is empowered to administer plans of crop insurance established by the regulations; conduct surveys and research programs relating to crop insurance; evaluate losses and pay claims under plans of crop insurance; enter into agreements with or retain persons for soliciting and receiving application for insurance, collecting premiums and adjusting plans under claims; reinsurance risks, and require an applicant for crop insurance to furnish such information, statements and reports as the Agency may deem necessary.

Subject to the approval of the Lieutenant-Governor in Council, the Agency may make regulations establishing, amending and revoking voluntary plans for crop insurance within the Province, and governing the terms and conditions of insurance under any plan. The Lieutenant-Governor in Council may also make regulations designating any agricultural crop as an insurable crop; providing for a right of appeal from any finding, order or decision as well as for the arbitration of disputes arising out of the adjustment of losses, and for the appointment of an Appeal Board, arbitrators or board of arbitration.

The Agency shall establish and maintain at a chartered bank a fund, known as the Prince Edward Island Crop Insurance Fund, to which shall be credited all moneys advanced or paid to the Agency for the purposes of this Act, including premiums and any amount received from the Government of Canada.

The Provincial Treasurer, with the approval of the Lieutenant-Governor in Council and on the written requisition of the Minister, may advance to the agency, for working capital, from time to time sums up to a total amount not exceeding \$500,000. On written requisition, an amount equal to one-half the cost of administering the Act may also be paid each year to the Agency from the Consolidated Fund.

The Minister of Agriculture may, if so authorized by the Lieutenant-Governor in Council, enter into an agreement with the Government of Canada as provided for in the Crop Insurance Act (Canada), 1959.

N O V A   S C O T I A

CROP INSURANCE ACT, S.N.S. 1963, c. 3.

Authority is given for the establishment of a body corporate, the Nova Scotia Crop Insurance Agency, comprising five directors appointed by the Governor in Council, to carry out and administer this Act, under the direction, supervision and control of the Minister of Agriculture and Marketing.

The Agency may conduct surveys of proposed test areas in the Province and may, with the approval of the Governor in Council, establish test areas and define their boundaries if at least 25 per cent of the qualified persons in the proposed test areas, or of persons operating at least 25 per cent of the land therein, who are likely to plant and cultivate insurable crops, are willing to enter into contracts with the Agency.

The directors of the Agency may, subject to the approval of the Governor in Council, make regulations prescribing the premiums to be paid by insured persons, the form of application for a contract and the details and information to be contained in such applications, the forms and terms of contracts, the form for submitting proof of loss and the information and details required, the method of fixing the date of a loss; establishing the percentage of a long-term average yield in any test area for an insurable crop; stating the period with respect to which the average grade of an insurable crop is to be determined, and establishing the basis of the long-term average yield for an insurable crop grown in a test area.

A Crop Insurance Fund may also be set up and the Agency shall deposit and keep in a bank all amounts credited to the Fund. Such amounts may include moneys not exceeding a total of \$500,000 advanced to the Agency from time to time as working capital by the Minister of Finance and Economics with the approval of the Governor in Council and on the written requisition of the Minister of Agriculture and Marketing; payments from the Consolidated Fund equal to one-half the cost of administering the Act each year; the amount of all premiums received, and moneys received from the Government of Canada or other sources for the purpose of the Act.

With the approval of the Governor in Council, the Minister of Agriculture and Marketing may enter into an agreement with the Government of Canada in respect of contributions by the latter to the Crop Insurance Fund to help defray the cost of administering the Act, reimburse the Fund for amounts paid in satisfaction of claims and to assist the Agency to refund to insured persons any part of premiums paid under contracts.

(Up to the time of publication in August 1967, this Act had not been proclaimed.)

#### N E W B R U N S W I C K

#### CROP INSURANCE ACT, S.N.B. 1966, c. 5.

The Minister of Agriculture and Rural Development for New Brunswick may, when so authorized by the Lieutenant-Governor in Council, enter into and carry out agreements with the Minister of Agriculture for Canada in respect of crop insurance in the Province. To give effect to the provisions of the Act, the Lieutenant-Governor in Council may make regulations with respect to the establishment and administration of a scheme of crop insurance in and for the Province; establishing and providing the organization of a corporate body, with prescribed powers and duties, including the provision of crop insurance and undertaking all necessary arrangements, contracts and agreements; providing for the establishment of a Crop Insurance Fund and for the use that may be made of the Fund and the investment thereof; prescribing measures for the recovery of unpaid premiums under the crop insurance scheme, and penalties for contravention of the regulations.

At least once a year, the books and accounts of any corporate body established under the Act are to be audited by the Comptroller General. In the absence of a special vote of the Legislature, expenses incurred and any moneys the Province become liable to pay in carrying out the terms of any agreement under the Act are to be a charge upon, and paid out of, the Consolidated Revenue Fund.

## 5. MARKETING

### (a) General

#### N E W F O U N D L A N D

FOOD AND DRUGS ACT, R.S.N. 1952, c. 56; amendments: 1953, c. 32; 1959, c. 17; 1962, c. 3.

"An Act Respecting Food and Drugs".

The Minister of Health may make regulations prescribing the manner in which food intended for human consumption shall be prepared, packaged, stored, transported, sold, advertised or exposed for sale and delivered; prescribing the manner in which packages shall be marked in order to disclose the nature or method of preparation of their contents; prohibiting or restricting or prescribing the addition of any substance to any food and prescribing standards of quality or composition for food; requiring every owner or manager of places where food is sold for consumption on the premises to make returns of the names, addresses and description of persons employed on the premises, and appointing analysts. Penalties are provided for selling unsound food and inspectors are empowered to examine and seize unsound food. They may also examine food in transit. The Minister may also require the licensing of premises and prescribe standards of lighting, ventilation and sanitary arrangements in the following trades: preparation and sale of foods for consumption on the premises, the preparation and sale of cooked foods other than the sale of tinned, canned and bottled food, manufacture and sale of bottled beverages, cold storage, slaughtering of animals, sale of meat, manufacture and sale of sausages, production or preparation for sale of milk, butter or cream, sale of milk or cream, manufacture and sale of butter substitutes, ice cream, confectionery, desserts, frozen foods, reconstituted foods and the component parts of each of them, jams, jellies and preserves, and the preparation and packing for sale of food in tins, jars or bottles or otherwise hermetically sealed. Within a licensing area no animal shall be slaughtered for food except in an approved building. Medical inspection of persons employed where food is prepared or sold may be required. The sale of certain meats is prohibited and there are provisions prescribing protection for food exposed for sale or being transported, and dealing with the handling of cold storage goods. Regulations made under Section 3 of this Act prescribe certain minimum and maximum vitamin and mineral standards for white wheat flour sold, held for sale, offered or exposed for sale in the Province. The required calcium level is to be attained by the addition of edible bone meal. The regulations do not apply to whole wheat flour, graham flour, farina, special cake flour, cake mixes and pancake flour.

HEALTH AND PUBLIC WELFARE ACT, R.S.N. 1952, c. 51; amendments: 1954, c. 22; 1956, c. 31; 1957, c. 61; 1958, c. 26; 1959, cc. 12, 52; 1960, c. 48; 1962, c. 40; 1965, cc. 32, 34, 36; 1966, c. 78.

"An Act Respecting Health and Public Welfare".

Under Section 13 of this Act and Section 12 of the Communicable Diseases Act (S.N. 1965, c. 34), the Minister of Health may make rules and regulations concerning, among other matters, the testing of cattle for

tuberculosis, and may also prohibit the use or sale of milk from cows suffering from a communicable disease, and the use, sale or exposing for sale of the flesh of animals affected by any disease which, in the opinion of the Deputy Minister of Health, renders the flesh of such animals unfit for human consumption.

No person with any communicable disease may milk cows. Suppliers of milk, cream and butter, and dealers, sellers and deliverers of these and other uncooked foods are also required to report any cases of communicable disease in themselves, their families or their employees. A health inspector may prohibit the handling, sale or distribution of such foods. He may have free access to any building, premises, wagon or store containing any milk, cream or butter, and may take samples therefrom. An inspector also has the right of entry to, and power to direct any structural alteration of, any premises in the interest of public health.

#### P R I N C E E D W A R D I S L A N D

MARKETING ACT, S.P.E.I. 1956, c. 23; amendments: 1957, c. 21; 1958, c. 21; 1959, c. 19; 1960, c. 25; 1963, c. 24.

"An Act Respecting the Marketing of Agricultural Products".

The Lieutenant-Governor in Council may establish plans for the control and regulation within the Province of the marketing of any agricultural product and constitute commodity producer marketing boards to administer such plans, vesting in these boards the powers necessary to enable them to effectively control and regulate the marketing of the designated agricultural products in the Province. A plan may cover the whole Province or a designated area of the Province. A plan does not become operative until it has been approved by an affirmative vote of 60 per cent of the persons voting within the area to which the plan applies. A temporary plan may be established but a vote must be taken not less than six months and not more than 18 months after the plan has been put into operation. A temporary plan established without a vote taken, must be voted on and approved by 60 per cent of the persons voting within the area to which the plan applies.

The powers granted to a producer board may include, among other matters, the power to designate the time and place at which, and to designate the agency by or through which, any regulated product is to be marketed; to designate the manner of distribution, the quality and quantity, grade or class of the regulated product that is to be marketed by the designated agency at any time; the power to require all persons engaged in the marketing of the product to be licensed and provide guarantees of financial responsibility and to register their names and addresses with the board and to supply necessary statistical information and to make periodic returns and to permit their books and premises to be inspected; the power to fix licence fees, levies or charges, the power to fix prices, or maximum or minimum prices, or both, at which the regulated product or any grade, variety or class of it may be bought or sold, otherwise than by retail to consumers in the Province or that will be required to be paid

for the product by a designated agency; to fix different prices for different parts of the Province or area and to determine the maximum spread that dealers or any designated agency may add to the price or prices paid by them for the product; the power to seize, remove and dispose of any products kept in violation of an order of the board; the power to establish and appoint bargaining committees to act on behalf of producers in negotiating contracts or agreements in connection with any plan and the power to enforce any obligations under such contracts or agreements; the power to impose charges on a per unit basis for the services of a board; the power to conduct pools for the distribution of moneys received from the marketing of a designated product and distribute the proceeds according to the plan, and the power to co-operate with a marketing board, local board or agency of any other province. The board may have other financial powers. Provision is also made for a voting procedure to terminate marketing plans.

Marketing is defined as including buying, owning, selling, storing, offering for sale, shipping for sale or storage, advertising, financing, assembling, packing, processing and transportation.

Provision is made for co-operation by producer boards with federal marketing authorities.

No producer board or agency may restrict, limit or prohibit the production of any agricultural product or discriminate against any producer to the unjust advantage of any other producer or producers. Fines are provided for failure to comply with the regulations and orders of a producer board. The Minister of Agriculture is charged with the administration of the Act, and producer boards are required to submit a monthly report to the Minister of Agriculture setting out an exact record of all their receipts and expenditures.

The Lieutenant-Governor in Council may make regulations for the sale of fruit and vegetables, and may adopt regulations made under the Fruit, Vegetables, and Honey Act, Revised Statutes of Canada, 1952, c. 126. He may also authorize inspectors for the enforcement of the regulations. The penalty for not complying with any regulations under this section is to be in the form of a fine not exceeding \$25.

PUBLIC HEALTH ACT, R.S.P.E.I. 1951, c. 129; amendments: 1953, c. 38; 1960, c. 34.

Section 5(7) of this Act permits the provincial government to make regulations for the licensing, inspection, construction, furnishing, equipping, maintaining, cleaning and disinfecting of all slaughter houses and other places where animals are killed and their flesh prepared for sale or to be used as food. Section 5(13) provides for the regulation of the situation, equipment, sanitation, management and maintenance of all creameries, dairies and market gardens. Section 5(21) deals with the prohibition of the use or sale of milk from cows suffering from tuberculosis and of the use or sale of the flesh of animals affected by that disease. Section 5(30) provides for control of the standards and

quality of milk and milk products which are offered for sale and of the sanitation of production and processing methods thereof. Section 44 prohibits the handling of food offered for sale by persons having a communicable disease and authorizes Health Officers to require persons handling food to be medically examined. Under Section 51, local Boards of Health may provide for the inspection of milk cows and cow byres, dairies, cheese factories, creameries and similar establishments. Under Section 52, all slaughter houses shall be regularly inspected under direction of the local Board of Health as well as all animals being slaughtered.

"AN ACT TO PROVIDE ASSISTANCE TOWARDS THE ESTABLISHMENT OF INDUSTRIAL PLANTS FOR THE PROCESSING OF AGRICULTURAL, HORTICULTURAL AND FISHERIES PRODUCTS WITHIN THE PROVINCE", S.P.E.I. 1954, c. 18; amendment: 1955, c. 21.

The Lieutenant-Governor in Council is authorized to grant assistance towards the establishment of industrial plants within the Province for the purpose of processing agricultural, horticultural and fisheries products by way of outright grant or loan or by guaranteeing loans or by a combination of these forms. The assistance may be granted separately or in conjunction with the Industrial Development Bank of Canada or other federal department or agency. No assistance shall exceed 50 per cent of the cost of any plant or extension. Terms and conditions may be attached to assistance including security to be taken, terms of repayment, rate of interest to be charged, furnishing of returns and audit. The aggregate of all loans, grants or guarantees is not to exceed \$1,000,000. The supervision and administration of all assistance granted hereunder shall be vested in such Minister as may from time to time be designated by the Lieutenant-Governor in Council.

#### NOVA SCOTIA

NATURAL PRODUCTS MARKETING ACT, R.S.N.S. 1954, c. 198; amendments: 1957, c. 35; 1962, c. 40.

Provision is made for the establishment of the Nova Scotia Marketing Board as a body corporate. The Board is to investigate, arbitrate and settle disputes between producers, distributors or transporters of natural products (animals, meats, eggs, poultry, wool, dairy products, grains, seeds, fruits, fruit products, vegetables, vegetable products, honey, forest products, and articles of food or drink manufactured or derived in whole or in part therefrom); investigate the cost of producing, distributing and transporting any natural products, prices, price spreads, trade practices and other matters relating to the marketing of natural products; establish local boards for the purpose of carrying out any marketing scheme; establish price negotiating agencies in connection with any scheme and adopt or determine fair or minimum prices for any regulated product; require persons engaged in producing or marketing a natural product in an area designated by the Board to register with the Board; require persons to permit inspection of their vehicles; co-operate with any board or agency established under any Dominion Act or provincial Act concerned with the

marketing of any natural product and to act conjointly with any such board or agency; require the furnishing of security or proof of financial responsibility by any person engaged in the marketing of a regulated product; accept and exercise all powers of regulation in relation to the marketing of a natural product outside the Province in interprovincial and export trade that are conferred upon it by or pursuant to any Act of the Parliament of Canada and for the purpose of such regulation to exercise all the powers conferred upon the Board by this Act, and deal with other similar matters. The Board may delegate powers to a local board. Provision is made for the establishment of schemes for the promotion, control, regulation or prohibition of the marketing of any natural product and the constitution of local boards to administer such schemes. However, no scheme is to be established unless it is recommended and approved by such proportion of the producers or those engaged in marketing the product as the Board deems satisfactory.

AGRICULTURE AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c.15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18; 1967, bill 114.

Part XVII of this Act empowers the Governor in Council to make regulations classifying and establishing grades for any product and fixing the differences between the prices of different grades of cream; with respect to packages and containers and providing for the inspection, grading, packaging, marking, shipping, advertising and selling of products within the Province; for the registration of packers, persons assembling products, brokers, commission agents and dealers; and prescribing the powers and duties of inspectors. "Products" includes animals, meats, eggs, poultry, dairy products, fruit, fruit products, vegetable, vegetable products, maple products, honey and such other natural products of agriculture as the Governor in Council may designate and articles of food or drink wholly or partly manufactured or derived from any designated products. The powers of inspectors are prescribed and penalties are provided for infractions of this part of the Act and the regulations made thereunder. Inspectors of the Canada Department of Agriculture are appointed provincial inspectors for the purposes of this Act.

The 1967 amendment to the Act provides for the establishment of a Nova Scotia Dairy Commission, the amendment to come into force when proclaimed by the Governor in Council. The Commission is to consist of five members including one member representing the Nova Scotia Milk and Cream Producers' Association, one representing the Nova Scotia Milk Distributors' Association, and three other members in no way actively associated with the dairy industry. While the expenses of the Commission may be borne by milk producers, processors or distributors in such proportions as the Commission may determine, the Governor in Council is also authorized to pay and advance annually from the Consolidated Fund such money as the Commission may require. (For summaries of other part of this Act, see under "Administration", "Agricultural Societies and Education", "Production-Crops", "Production-Livestock", "Marketing-Livestock and Livestock Products" and "Land Policy".)

PUBLIC HEALTH ACT, R.S.N.S. 1954, c. 234; amendments: 1962, c. 13; 1964, c. 68.

Part I of the amended and consolidated Public Health Act, 1962, provides that the Minister of Public Health with the approval of the Governor in Council, may make regulations respecting the storage, production, manufacture, processing, transportation or sale of foodstuffs of any kind. Specifically, the Minister has the power to regulate, and to license, the street vending of foodstuffs; the quality, kind, cleanliness, storage, production, care, processing, transportation and sale of milk, cheese, cream, ice cream, and any other milk product produced or offered for sale, or sold or delivered within the Province; restaurants and other eating places; the sanitary conduct of slaughter houses and meat product plants; the sanitary conduct of bottling plants, the inspection and sale of meat and meat products, and stables, kennels and places where birds or animals are kept or confined.

Part I also deals with the appointment of departmental health personnel, including sanitary inspectors, to operate within defined territorial areas and to perform such duties as are assigned to them by the Minister. Part II further requires that inspectors appointed by municipal councils make such inspections as are necessary to ascertain compliance or contravention of the Act and the regulations.

Part VIII, which deals with milk and foodstuffs, prescribes the minimum standards of quality of milk, cream, ice cream and other dairy products, prohibits the sale of milk that is adulterated or from infected cows or from cows not properly fed, provides for cleaning and sterilizing of containers, the proper storage of milk and cream and the conduct of milking in a sanitary manner. It also stipulates restrictions on the sale of raw milk; the method and requirements for the pasteurization, bottling and sale of milk and cream, for the homogenization of milk, and for the capping of bottles. Provision is made for inspection of the whole process of pasteurization and bottling.

MERCHANDISE INSPECTION ACT, R.S.N.S. 1954, c. 175.

Among other matters, this Act prescribes standard weights for loaves of bread and provides for the marking of each loaf or its wrapper with the weight of the loaf and the name of the maker. The rest of the Act is now inoperative.

COLD STORAGE PLANTS LOAN ACT, R.S.N.S. 1954, c. 36.

The Governor in Council may make loans to any person, partnership, company or association of persons for the purpose of erecting, acquiring, owning or operating a cold storage plant or plants. Repayment must commence within three years of the date of the loan, at least 50 per cent of the loan is to be repaid within 10 years and the period of the loan shall not exceed 20 years. A loan must be secured by a first mortgage. Regulations may be made prescribing the rate of interest and other conditions

attached to loans under this Act. Regulation No. 4 provides that a loan may be made for the purpose designated by the Act to an amount not more than 50 per cent of the sum to be expended as determined for the purpose of fixing a subsidy under the federal Cold Storage Act.

MUNICIPAL CORPORATIONS' SUPPLEMENTARY POWERS ACT, R.S.N.S. 1954, c. 190; amendment: 1962, c. 39.

Part IX permits municipalities to continue and establish public markets, to regulate and control them, to apply rents and penalties for users of the markets and to receive the accounts of keepers and clerks of markets.

#### N E W B R U N S W I C K

NATURAL PRODUCTS CONTROL ACT, R.S.N.B. 1952, c. 156; amendments: 1954, c. 63; 1960, c. 56; 1961-62, c. 26.

The Natural Products Marketing Board is established as a body corporate with authority to investigate, arbitrate and settle any dispute between producers, processors, distributors or transporters of natural products (fish, animals, meats, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other products of agriculture and of forest, sea, lake, or river as may be designated by the Lieutenant-Governor in Council); to investigate the cost of producing (including processing), distributing and transporting any natural product; prices, price spreads, trade practices, grading policies and other matters concerning marketing; recommend any plan to the Minister of Agriculture and Rural Development, and to empower a local board to borrow money. Upon receiving a petition from a sufficiently representative group of persons engaged in the marketing of a natural product, the Board may recommend to the Lieutenant-Governor in Council the establishment of a local board to market the product. Each local board is to be a body corporate and may be granted power to regulate the time and place at which, and to designate the agency by or through which, a regulated product shall be marketed; regulate the manner of marketing; regulate the quantity and quality, grade or class of a regulated product which may be marketed; require that all persons engaged in the production (including processing) or marketing of a regulated product be licensed; collect licence fees; fix the prices, maximum or minimum or both, at which a regulated product may be bought and sold; seize a regulated product suspected of being kept, transported, stored or marketed in violation of an order of the board; co-operate with any Canadian board or provincial board to regulate the marketing of a natural product, and make similar regulations.

NATURAL PRODUCTS GRADES ACT, R.S.N.B. 1952, c. 157; amendments: 1957, c.48; 1959, c. 62.

The Lieutenant-Governor in Council may make regulations classifying and establishing grades of each kind of product (fish, animals, meat, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other

products of agriculture and of the forest, sea, lake or river as may be designated by the Lieutenant-Governor in Council); prescribing standards of composition for each kind of product; prohibiting the sale of a product which does not meet the minimum grade established or the minimum standard of composition required by the regulations; concerning packages and containers or the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of products; prescribing fees for inspection, registration and licensing of packers, brokers, commission agents and dealers, and concerning the cleanliness and sanitation of premises in which products are assembled, graded or packed. Inspectors appointed under the Act are given power to enter premises, require the production of records, inspect products and vehicles, take samples and detain products. Penalties are provided for infractions of the Act.

HEALTH ACT, R.S.N.B. 1952, c. 102; amendments: 1954, c. 43; 1955, c. 51; 1956, c. 38; 1960-61, c. 48; 1961-62, c. 58; 1964, c. 33; 1965, c. 19.

Section 6 of this Act empowers the Minister of Health and any other Minister to whom duties within the purview of the Act may be prescribed, among other matters, to provide for and regulate the inspection, situation, method of construction, equipment, sanitary management, cleansing, disinfecting and licensing of slaughter houses and other places where animals are killed and their meat prepared for sale; canneries, warehouses, cold storage, freezing and warehousing plants; creameries, dairies, cowsheds, stables, market gardens, henneries, cheese and butter factories, and places for the manufacture or sale of any dairy or food products. He may also provide for the pasteurization and processing of milk and milk products and the equipment and standards therefor.

The Minister may make such regulations, rules or orders as he deems necessary concerning the use of various manures and fertilizers which are or may be dangerous to the public health, and for the prevention of the pollution of lakes, rivers, streams, pools, springs, wells and other waters.

(b) Livestock and Livestock Products

N E W F O U N D L A N D

POULTRY AND POULTRY PRODUCTS ACT, R.S.N. 1952, c. 192; amendments: 1956, c. 16; 1965, c. 37.

"An Act Relating to Poultry and Poultry Products".

This Act provides for the appointment of a Commissioner and other officials to investigate and report on the marketing of any poultry (domestic fowl, guinea fowl and pigeons) or poultry product (live poultry, dressed poultry, eviscerated poultry and eggs) whether produced in Newfoundland or imported into the Province. A permit is required to operate a hatchery, every hatcheryman is required to submit for approval prior to publication all catalogues, circulars, advertisements, etc. which he proposes to issue and an inspector may enter any hatchery, premises or vehicle to

inspect poultry and poultry products, require the production for inspection of books and records, take samples, delay shipments, seize and detain poultry or poultry products which have been produced, packed, branded, labelled or shipped in violation of this Act and take other similar action. The Lieutenant-Governor in Council may make regulations prescribing standards of quality and grades; respecting inspection, grading, packing, labelling, branding, and marking; prescribing types, size and specifications of packages, packing material and methods of packing; respecting shipping and transporting; prescribing the manner in which the seller or shipper shall identify lots of individual producers for grading purposes; providing for the issuance and cancellation of licences; prescribing measures respecting sanitation; permitting registration under any Dominion Poultry Improvement Program by any person operating a hatchery; prescribing a program to be known as the Poultry Improvement Program for the improvement of poultry stock and the eradication of disease therein, and concerning a number of similar matters.

BRITISH NORTH AMERICA ACT, 1949, c. 22. (Act of the Parliament of the United Kingdom).

Section 46 of the Terms of Union between Canada and Newfoundland, confirmed and legalized by Section 1 of the British North America Act, 1949, provides that oleomargarine or margarine may be manufactured or sold in the Province of Newfoundland after the Union and the Parliament of Canada shall not prohibit or restrict its manufacture or sale except at the request of the Province of Newfoundland. However, the Parliament of Canada shall retain power to require compliance with standards of quality applicable throughout Canada. Unless the Parliament of Canada otherwise provides, oleomargarine or margarine may not be shipped or carried from Newfoundland into any other Province of Canada.

#### P R I N C E   E D W A R D   I S L A N D

PRINCE EDWARD ISLAND DAIRY PRODUCTS ACT, S.P.E.I. 1953, c. 13.

The Lieutenant-Governor in Council may make regulations establishing grades with appropriate grade names, in accordance with the Canada Dairy Products Act and Regulations, for any class of dairy products (milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet or other product made wholly or mainly from milk). These regulations may prescribe the terms and conditions and manner in which dairy products may be graded; require that they be produced in an establishment that complies with the required conditions and which was registered and licensed in a prescribed manner; prescribe fees that may be charged for grading by graders, and prescribe the sizes, dimensions and other specifications of packages and the manner of packing. There are restrictions on the use of grade names and a prohibition against the sale or possession of a product with a name or grade similar to one authorized. Regulations may be passed prohibiting the manufacture and sale of any dairy product that contains fat or oil other than that of milk or any substitute for a dairy product. Inspectors and dairy produce graders

may be appointed to administer and enforce the Act and their powers and duties are prescribed. The Act applies the Canada Dairy Products Act to the dairy industry of the Province. Federal graders and inspectors are appointed provincial inspectors for the purpose of this Act.

DAIRY PRODUCTS MANUFACTURING ACT, S.P.E.I. 1954, c. 11.

The Lieutenant-Governor in Council may appoint a Dairy Superintendent and supervisors, inspectors, graders, testers, weighers and clerks to administer this Act. The powers of inspectors are prescribed. The premises and equipment of every dairy manufacturing plant (dairy, cheese factory, creamery, concentrated milk plant, ice cream plant, processed cheese plant or skimming station) must be kept sanitary and the materials used and methods of processing also be sanitary. If an inspector finds unsatisfactory conditions he may close the plant or order contaminating materials removed. He may also inspect farm premises and utensils and, if necessary, prohibit their use and prohibit the sale of milk or cream from the farm. The Act specifies that milk and cream are to be purchased by a dairy plant on the basis of a recognized butterfat or other test and it describes how tests are to be conducted. Certain specified records are to be kept on the premises where milk or cream is received and certain statements delivered to each patron of the dairy plant. A dairy manufacturing plant may be established only with the permission of the Minister of Agriculture and after he has approved the site, plans and specifications. A licence is required to operate any creamery, cheese factory, ice cream plant or concentrated milk plant or to test milk or cream or to operate a cream or milk gathering station.

AN ACT TO INCORPORATE THE PRINCE EDWARD ISLAND DAIRYMEN'S ASSOCIATION, S.P.E.I. 1925, c. 18; amendments: 1944, c. 7; 1945, c. 9; 1946, c. 8; 1947, c. 13; 1948, c. 11; 1950, c. 13; 1967, bill 39.

This Act provides for the incorporation of the Prince Edward Island Dairymen's Association which comprises the representatives of all factories engaged in the manufacture of dairy products in the Province. The objects of the Association are the encouragement of dairying and improvement in the manufacture of butter, cheese and other dairy products and all matters connected therewith, and the co-operative buying of supplies and the co-operative marketing of dairy products.

The Association is empowered to carry on the business of wholesale and retail merchants in all kinds of goods, wares and merchandise, also the business of general warehousemen in all its branches and generally to trade and deal in all produce, provisions, materials and goods of every description.

The 1967 amendment states that on or before May 1, 1967 and of each subsequent year, every owner, operator, manager or person in charge of a cream station in Prince Edward Island shall apply for a licence to the Dairy Superintendent, Department of Agriculture, Charlottetown.

AGRICULTURAL PRODUCTS STANDARDS ACT, P.E.I. 1958, c. l.

"An Act Respecting Standard of Agricultural Products".

This Act provides that the Lieutenant-Governor in Council may make regulations requiring and prescribing the manner and conditions of the grading, inspection, packing and marketing of livestock and livestock products, as well as fixing and defining the grade standards of livestock and livestock products. More specifically, he may prescribe regulations for transporting, delivering, shipping, advertising, purchasing and selling livestock and livestock products and in addition, the size, kind, branding, marking and labelling of packages or containers in which livestock products are kept.

The conditions for sales, purchases, and transportation of livestock and livestock products are outlined in detail. In addition, the purchasers of livestock and livestock products at assembling points and abattoirs shall record the receipts, classifications, weights, and purchase prices and make the records available to the Minister.

All persons dealing in livestock or livestock products must be classified and all classes must be licensed. Regulations prescribing the forms and classes of licences to be issued, their duration, renewal, qualified issuers and the fees payable are authorized by the Lieutenant-Governor. The regulations also require persons dealing in livestock or livestock products to furnish to the Minister a guarantee or security bond, specifying the form and amount and the conditions upon which it may be realized. The Minister may revoke or suspend a licence at any time.

Inspectors appointed for the purpose of preventing or detecting any violation of any provision of the Act, may at any time, without warrant, enter any and every part of any place, and examine and take copies of all documents, books and records, and make searches in every part of the premises. They also may stop any motor truck on the highway and inspect the contents for the purpose of preventing or detecting any violation of the Act. Penalties for violations are in the form of fines ranging from \$50 to \$1,000.

LIVESTOCK COMMUNITY AUCTION SALES ACT, S.P.E.I. 1967, bill 72.

This Act provides for the establishment of a Livestock Community Auction Sales Advisory Board, consisting of not more than three persons, to act in an advisory capacity to the Minister of Agriculture. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations prescribing the powers and duties of the Board; establishing classes of community auction sales and limiting the application of any regulation to any such class; providing for the form, renewal, suspension, withholding and revocation of licences, the fee payable therefor and for the terms and conditions on which a licence may be issued; prescribing the minimum standards for cleanliness, health and safety for any building or other place where a community auction sale is conducted, and the methods, terms and conditions under which such auctions are carried on; requiring persons who conduct auction sales to keep records, make returns and furnish

information in such manner as the Minister stipulates; providing for the bonding of operators and for the amount and form of such bonds, and appointing inspectors to carry out and enforce the regulations.

No person shall sponsor, conduct or engage in the business of operating a community auction sale without a licence. The Act specifies the conditions to which every licence is subject.

MILK PROTECTION ACT, R.S.P.E.I. 1951, c. 96; amendments: 1957, c. 22; 1966, c. 28.

The Prince Edward Island Milk Control Board is constituted with power to grant or refuse to grant licences to persons, firms and associations intending to carry on the business of buying or producing fluid milk and cream for resale in the Province; to inquire into any matter relating to the production, transportation, processing, distribution or sale of milk or cream; to arbitrate and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe standards of price for milk, cream and butterfat and to prevent the sale of milk at any lower price; to investigate and confirm any agreement which may be made between any licensee under this Act and any association of 15 or more persons for the sale of fluid milk or cream to the members of the association at a price lower than the general price fixed under this Act, and to enter premises of the licensees to inspect them and check or audit their books and accounts. No persons licensed under this Act shall buy fluid milk, cream or butterfat or combination thereof at a price less than that prescribed therefor by the Board or any retail vendor sell these products other than at the price set by the Board.

The 1957 amendment authorizes the Lieutenant-Governor in Council to appoint a Milk Control Board. The Dairy Superintendent of the Province shall be an ex officio member of the Board without voting powers. The Chairman of the Board shall be the Judge of the County or Supreme Court or independent person as appointed. Members of the Board must be sworn in by a Judge of the County Court before performing their duties.

MILK ACT, R.S.P.E.I. 1951, c. 95.

This Act establishes standards and definitions for milk, skim milk, pasteurized milk, homogenized milk, cream, substandard cream, ice cream and buttermilk. It prescribes how containers for these products shall be branded and how inspectors may take samples of milk and the procedure to be followed if milk is found to be unfit for consumption or below standard. It provides that all producers and distributors of milk must be registered and that all milk must be graded for bacterial, chemical or physical condition and according to the sanitary conditions under which it is produced and distributed. The Act also deals with the procedure to be followed if any person or a registered premises is suspected of having a communicable disease; the condition of producers' premises; the care of milk on the producers' premises and the containers of the milk on those premises; the registration of milk plants, factories, creameries and milk or cream collecting stations; the health and cleanliness of personnel in milk plants; the sanitation of milk plant premises; the care

of milk, milk plant equipment and utensils in milk plants; the registration of distributors; the cleanliness and sanitation of distributors' premises; the care of milk in stores, restaurants, etc.; the inspection and prevention of disease among milk cows, and the cleanliness and sanitation of premises where milk cows are kept. This Act is administered by the Department of Health.

THE MARGARINE ACT, S.P.E.I. 1965, c. 16.

This Act prohibits the mixing of margarine with butter for sale or use in any public eating place; forbids, with certain exceptions, the use of preservatives in the production of margarine; prescribes package markings, standards of quality, composition and coloring, and provides that no person shall manufacture margarine in the Province without a licence from the Minister of Agriculture. The Act also sets out the powers of inspectors who may be appointed by the Minister for the purpose of enforcing the Act.

POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E. I. 1951, c. 116; amendment: 1956, c. 29.

The Lieutenant-Governor in Council may, with respect to poultry and poultry products, make regulations prescribing standards of quality and grades; respecting inspection, grading, labelling, branding and marking; setting out types, sizes and specifications of packages, packing material and methods of packing; respecting the shipping, transporting, purchase and sale of poultry and poultry products; prescribing the manner in which shippers of ungraded poultry shall identify individual producers' lots; regarding the preparation of returns and statements by the receiver to the seller; requiring the licensing of persons engaged in the shipping, transporting, purchase or sale of poultry and poultry products and respecting the advertising of these products. The 1956 amendment provides for a Poultry Products Board which is to administer the regulations made by the Minister of Agriculture respecting fees for grading and inspection services, sanitation of premises, issuance, renewal, or cancellation of licences, and reports to be made to the Department of Agriculture by persons processing, grading, shipping or transporting poultry products. The duties and powers of inspectors are prescribed. (For a summary of Part II of this Act see under "Production-Livestock".)

N O V A S C O T I A

AGRICULTURAL AND MARKETING ACT, R.S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

Part IX of this Act is concerned with the encouragement of dairying. It provides for a Superintendent of Dairying to advise the Minister of Agriculture in respect of matters relating to dairying. The Superintendent and any dairy inspector are to inspect cheese factories, condensed milk factories, creameries, cream stations, dairies and ice cream factories and give instructions and advice. The Dairymen's Association of Nova Scotia is continued and has for its object the furthering of the interest of the

dairy industry by holding an annual convention and local meetings, by collecting and distributing useful information to dairymen and by holding exhibitions of dairy products. There is provision for an annual provincial grant to the Association not exceeding \$1,000.

PART XVIII deals with the distribution and sale of milk. The Board of Commissioners of Public Utilities is continued and given power to arbitrate and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe, within any area it may designate, standards or price for whole milk, cream and butterfat of any grade and the basis of calculation of standards or price; the quantities and types of containers in which milk of any grade may be sold; to prohibit any purchase, sale or delivery of whole milk or cream alone or in combination with any other article of trade at prices other than those prescribed by the Commission; to prohibit the sale of milk in quantities or containers other than those prescribed by the Commission; to prohibit milk distributors compelling or inducing producers to invest money in a dairy plant so that the producers may obtain or retain a market for their milk; to prohibit milk distributors terminating the purchase of milk from a producer without leave of the Commission except for causes prescribed in the regulations, and to prohibit milk producers from terminating the sale of milk to distributors except under the same conditions. All persons engaged in the business of producing, supplying, transporting, processing or selling milk must be licensed by the Commission. A person establishing a creamery, a dairy, or a condensed milk, ice cream or cheese factory must satisfy the Commission that he is financially responsible and that his action is in the public interest. The site, plans and specifications of the plant must also be approved by the Commission. The owners of dairy establishments must keep the records specified in this part of the Act, furnish certain statements to their suppliers of milk and cream, grade all milk and cream when delivered and pay on a basis of such grading. The methods of testing for butterfat content are specified. The powers of the Commission and its officers to enter and inspect buildings and books and accounts are set forth. The Commission may approve any agreement respecting the price of milk and fair business practices entered into between producers, processors, milk dealers, consumers, transporters and distributors, and the agreement is then binding upon all persons within the area affected by the agreement. When not less than 75 per cent of the producers supplying milk or cream in an area petition the Commission, the latter may require every producer in the area to pay to the Commission a licence fee not exceeding two cents per hundred pounds of whole milk or one-half cent per pound of butterfat of cream supplied and require each milk distributor to deduct the amount of the licence fees from the moneys payable to the producer and pay it over to the Commission. The money is then to be paid to the organization of producers specified in the original petition. A producer is permitted to decline to enter or may withdraw from the licence fee scheme. (For summaries of other parts of this Act, see under "Administration", "Agricultural Societies and Education", "Production-Crops", "Production-Live Stock", "Marketing-General" and "Land Policy".)

MARGARINE ACT, R.S.N.S. 1954, c. 165; amendment: 1962, c. 35.

Every keeper of a public eating place where margarine is served must display a notice to that effect on the menu or in a conspicuous manner in each room where food is served. Margarine must not be mixed with butter for sale or use in a public eating place. No person may manufacture, sell, offer for sale or serve in a public eating place margarine which contains any preservative, except common salt, in a kind or quantity forbidden by the regulations. The word "margarine" or the trade name of the contents, a list of the ingredients with the percentage of each and the name and address of the manufacturer must appear legibly on every package. All manufacturers of margarine must be licensed. In addition to other matters, the Governor in Council may make regulations prescribing standards of quality for margarine. Restrictions on the color of margarine offered for sale or served to the public are also specified. Inspectors may be appointed to enforce the Act and they have power to enter premises and conveyances, require the production of books and records and detain margarine at the owner's expense and take samples.

IMITATION DAIRY PRODUCTS ACT, R.S.N.S. 1954, c. 120.

No person may manufacture, sell, offer for sale or have in his possession for sale any imitation dairy product, which is defined as any food substance for human consumption that is an imitation of a dairy product or is represented to be for the same use as a dairy product and that is manufactured wholly or in part from any fat or oil other than that of milk, but does not include peanut butter or margarine as defined in the Margarine Act. Inspectors may be appointed to enforce this Act and they are to have power to enter premises and conveyances, require the production of books and records, take samples and detain any imitation dairy product.

N E W B R U N S W I C K

DAIRY PRODUCTS ACT, R.S.N.B. 1952, c. 55; amendments: 1954, c. 36; 1960, c. 24; 1960-61, c. 34; 1964, c. 26.

The New Brunswick Dairy Commission is established to administer this Act, to investigate and study the dairy industry and the dairy products trade; to set scales of prices to be paid for milk or cream sold for human consumption in any area designated by the Commission; to supervise, control and regulate the purchase, transportation, handling, conversion, preparation, storing, delivery, sale and distribution of milk and cream, as well as the care and collection of milk and cream containers, and to approve and make obligatory any agreement respecting the price of milk or cream entered into by any persons engaged in the dairy products trade. The Act specifies how price control areas are to be established by the Commission upon petition of at least two-thirds of the producer-suppliers, producer-distributors and milk dealers in the area or when the Commission considers it expedient to do so without being petitioned. Also where concluded in writing among at least two-thirds of the producer-suppliers, producer-distributors, milk dealers, milk vendors, storekeepers or canvassers in an area, the commission may approve agreements respecting

ethical canvassing, servicing of customers, hours of delivery and other similar matters. Inspectors may be appointed to carry out the provisions of the Act. Persons supplying, processing or selling milk must be licensed and there is provision for the inspection of milk dealers' plants and examination of their accounts and records. Milk dealers must deposit guarantees in the office of the Minister of Agriculture and Rural Development for the payment of the sums that they may owe to producer-suppliers. When 75 per cent of the producer-suppliers in an area so desire, the Commission may require every producer-supplier to pay a licence fee to the Provincial Secretary not exceeding two cents per 100 lbs of whole milk or one-half cent per pound butterfat, requiring every milk dealer in the area to deduct these fees from the amount paid to the producer-supplier and to remit the amount to the Provincial Secretary. The moneys so collected are to be paid to the New Brunswick Milk Producers' Association for use in promoting the dairy industry.

DAIRY INDUSTRY ACT, R.S.N.B. 1952, c. 54.

The Lieutenant-Governor in Council may make regulations concerning the licensing of operators of dairy plants; the licensing of milk and cream testers; the selecting, grading, weighing, sampling, testing and pasteurizing of milk and cream brought to dairy plants, and the manner of payment and the establishment of a comparative scale of prices to be paid by dairy plants for different grades of milk or cream; the sanitation of dairy plants and water supply, machinery, appliances and conveyances used in the manufacture and storage of dairy products; the compulsory pasteurization of dairy products; the proper keeping of records, and similar matters. The site, plans and specifications of a proposed dairy plant must be approved by the Minister of Agriculture and Rural Development, a permit must be held by the person establishing a dairy plant and, before issuing a permit, the Minister must be satisfied that the proposed plant is necessary and in the interests of the community and the dairy industry, and that a sufficient volume of milk or cream is available to the proposed plant. A Director of Dairy Service and inspectors are to be appointed to enforce the Act and they shall have access to all dairy plants and their records and may take samples of products. Operators of dairy plants must deposit with the Minister such security for satisfying patrons' claims as the Minister may prescribe.

CHEESE AND BUTTER MANUFACTURING ASSOCIATIONS ACT, R.S.N.B. 1952, c. 27.

This Act provides for the incorporation of any five or more persons who desire to form an association for the manufacture and sale of dairy products. It prescribes the method of incorporation, limits the amount of shares which any member may possess to \$1,000, provides for admission of new members, elections and the settlement of disputes, and deals with other similar matters.

OLEOMARGARINE ACT, R.S.N.B. 1952, c. 164; amendments: 1954, c. 65; 1965, c. 31.

Every keeper of a public eating place where oleomargarine is served must display the fact on the menu or on a conspicuous sign in each room where food is served. No oleomargarine may be manufactured or sold which has a tint containing more than one and six-tenths degrees and less than 10 and one-half degrees of yellow, or of yellow and red collectively. No person shall sell or offer for sale oleomargarine attached to, or within, the package of which there is any yellow coloring material. The product must not contain any preservative other than common salt, or more than 16 per cent of water or less than 80 per cent of fat. All packages must be legibly marked with the word "oleomargarine" or the trade name of the contents together with a list with percentages of each ingredient, the latter classified as vegetable oil, animal oil, animal fat, fish oil or marine oil. Manufacturers and wholesalers of oleomargarine must be licensed. There is also a prohibition against misleading or exaggerated claims for oleomargarine by word or design in advertising or labelling on the package, or confusing it with a dairy product, or suggesting that it is a substitute for a dairy product or bears a relationship to a dairy product.

IMITATION DAIRY PRODUCTS ACT, S.N.B. 1953, c. 9.

No person shall manufacture, sell, offer for sale, or have in his possession for sale any imitation dairy product, i.e. any food substance other than a dairy product, of whatever origin, source or composition, which is an imitation of or represented to be for the same use as a dairy product and which is manufactured wholly or in part from any fat or oil other than that of milk, but does not include oleomargarine. Inspectors may be appointed to enforce this Act.

COMMUNITY AUCTION SALES ACT, S.N.B. 1958, c. 7.

This Act governs the carrying on of a community auction sale of livestock or poultry owned by two or more persons, but does not include the sponsoring or conducting of an auction sale by a livestock breeders association. The Community Auction Sales Advisory Board acts in an advisory capacity to the Minister of Agriculture and Rural Development. Regulations may be made by the Lieutenant-Governor in Council dealing with the duties and powers of the board; licensing; terms and conditions under which a sale may operate; facilities; sanitation; records; reports, and inspection.

(c) Vegetables

N E W F O U N D L A N D

VEGETABLE (GRADING) ACT, R.S.N. 1952, c. 191.

"An Act Respecting the Grading of Certain Products of Agriculture in Newfoundland".

The Lieutenant-Governor in Council may make regulations classifying and establishing grades for each kind of product (potatoes, turnips, beet, carrots, parsnips, and such other products of agriculture as the Lieutenant-Governor may designate); with respect to packages or containers or the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of products within the Province; with respect to the registration and licensing of packers and persons assembling products, and with respect to the cleanliness and sanitation of premises in which products are graded, packed or assembled. The Act provides for the appointment of inspectors and prescribes their powers and duties.

P R I N C E E D W A R D I S L A N D

POTATO WAREHOUSE ACT, R.S.P.E.I. 1951, c. 115; amendment: 1956, c. 28.

The Minister charged with the administration of this Act, subject to the approval of the Lieutenant-Governor in Council, may make regulations governing the terms on which loans for the erection of potato warehouses may be granted and the repayment thereof; attaching conditions regarding the operation and use of warehouses built with government assistance, and determining the allocation of space therein and the storage rates to be charged by the operators of such warehouses. These administrative powers may be delegated to a board appointed by the Lieutenant-Governor in Council. The Act is being administered by the Minister of Agriculture.

N E W B R U N S W I C K

"AN ACT TO EXTEND THE POWERS OF THE NEW BRUNSWICK POTATO MARKETING BOARD", S.N.B. 154, c. 12.

In addition to its power to borrow under the Natural Products Control Act, the New Brunswick Potato Marketing Board is authorized to borrow money for such purposes and in such amounts as the Lieutenant-Governor in Council approves, and is empowered to assign as security to a chartered bank any liability incurred under this Act. The Act is retroactive to January 1, 1954.

POTATO WAREHOUSE ASSISTANCE ACT, S.N.B. 1957, c. 13.

This Act allows the Minister of Agriculture and Rural Development to enter into an agreement with the federal Minister of Agriculture and with a co-operative association respecting financial assistance for the construction of potato warehouses.

## 6. AGRICULTURAL SOCIETIES AND EDUCATION

### NEWFOUNDLAND

AGRICULTURAL SOCIETIES ACT, R.S.N. 1952, c. 173; amendment; 1956, c. 7.

"An Act Respecting Agricultural Societies".

Any nine or more persons may obtain registration as an agricultural society and it will then be deemed to be a corporation. Provision is also made for the registration of groups of two or more agricultural societies or co-operative societies. The Minister of Mines, Agriculture and Resources may make regulations prescribing the terms and conditions upon which societies may be formed, minimum membership fees, and rules for the conduct of the business of societies and the furnishing of reports. The power and duty of a society is to encourage the development of agriculture or stock-raising or poultry-keeping in its locality by the introduction of breeding stock, by making loans or advances of money, implements, seeds or stock and by carrying on agricultural education and propaganda. The 1956 amendment allows societies to borrow money for their purposes with the approval of the Minister of Mines, Agriculture and Resources.

### PRINCE EDWARD ISLAND

AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. 1951, c. 5.

Fifteen or more persons may organize a Farmers' Institute in such districts as the Lieutenant-Governor in Council may define, not including the City of Charlottetown and the Town of Summerside. The object of an Institute shall be to promote agricultural education, to disseminate information on improved methods of soil cultivation, orchard management, construction of farm buildings and all other matters relating to the advancement of agriculture, to provide for the introduction of improved breeding stock, to provide for the co-operative purchase of supplies required by members and to conduct the sale of agricultural products. The Act prescribes the method of organizing Institutes, the conduct of elections, the preparation of reports and statements, the method of obtaining provincial grants and similar matters.

THE AGROLOGIST ACT, S.P.E.I. 1960, c. 49.

The Act, which establishes the Prince Edward Island Institute of Agrologists as a body corporate, sets out the aims and objects of the Institute; qualifications for membership; the formation of a Council of Management and a Board of Examiners; the power of the institute to acquire, sell, mortgage, lease or otherwise dispose of property, and to make by-laws; and disciplinary procedures. No person may practise agrology, or assume verbally or otherwise the title of Agrologist, unless he is a member, in good standing, of the Institute.

P.E.I. VETERINARY MEDICAL ASSOCIATION ACT, 1957, c. 53 (PRIVATE ACT); amendment: 1958, c. 42.

This Act sets out the objects of the P.E.I. Veterinary Medical Association; the qualifications for membership; the election and duties of officers; the appointment of a Registrar; penalties for persons practising veterinary medicine without registration, and cessation of membership for unprofessional conduct or for conviction on any indictable offence.

WOMEN'S INSTITUTE ACT, R.S.P.E.I. 1951, c. 177; amendment: 1954, c. 41.

The objects of Women's Institutes are the improvement of social conditions through the study of home economics, child welfare, local needs, industrial and social conditions; fostering a spirit of patriotism; assistance to hospitals and charities; establishing Women's Institutes and social and educational centers in the community and using them to welcome new settlers; encouraging agriculture and improving agricultural conditions; and holding demonstrations, lectures, short courses, libraries, exhibitions, competitions, meetings and conventions. The Act deals with the organization of Branch Institutes, their incorporation, membership, officers, meetings and annual reports. It also provides for a provincial governing body of the Federated Women's Institutes of Prince Edward Island, known as the Provincial Board of Directors.

#### NOVA SCOTIA

AGRICULTURE AND MARKETING ACT, S.N.S. 1954, c. 5; amendments: 1955, c. 15; 1957, c. 13; 1958, cc. 17, 18; 1959, c. 11; 1960, c. 14; 1965, c. 18.

Part II of this Act provides for the appointment of a Superintendent of Agricultural Associations to organize agricultural societies, inspect the stock owned by such societies and their books and accounts, enforce compliance with this Act, receive reports and accounts of societies receiving provincial grants, assist societies in arranging for meetings and provide for distribution of agricultural literature and information. An agricultural society may be organized for any district. The objects of agricultural societies are to promote improvement in agriculture and in general rural community life by holding exhibitions and fairs and awarding prizes or premiums for livestock, grain, vegetables, plants, flowers, fruitstand products of domestic industry; organizing ploughing matches, seed fairs, standing crop competitions and best-managed farm contests; owning, distributing or bonusing purebred registered animals and new kinds of seeds and plants; promoting the circulation of agricultural literature; offering prizes for essays relating to agriculture; encouraging the formation of co-operative societies and boys' and girls' clubs; taking action to eradicate poisonous and noxious insects and weeds; and improving the agricultural and social life of the community. The Act deals with elections of officers, by-laws, provincial grants and similar matters affecting societies. Provision is also made in this part of the Act for the continuation of the Nova Scotia Federation of Agriculture as a body corporate consisting of all the members of any county Federation of Agriculture with the objects of enabling members to confer together

for the interchange of information relating to agriculture, to encourage and assist in the formation of county and district Federations of Agriculture, to promote the circulation of agricultural literature and for similar purposes. The Act sets forth the organization of the Federation. Provision is also made for the formation of a county Federation of Agriculture for each county and a district Federation of Agriculture for each district within a county, and the objects, powers and duties of each type of federation are prescribed. There is also provision for the formation of Community Clubs, one for each school district, with somewhat similar aims as the federation.

In Part VII, which deals with the encouragement of horticulture, provision is made for the formation of horticultural societies which may be organized with the permission of the Provincial Horticulturist. The objects of these societies are to encourage interest and improvement in horticulture by holding meetings for instruction, and discussion, encouraging the improvement of home and public grounds by planting trees, shrubs and flowers, procuring and distributing seeds, plants, shrubs and trees, holding contests and competitions, holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs and promoting the circulation of horticultural literature. The Act prescribes the organization and meetings of societies and deals with annual provincial grants and similar matters.

Part XV provides that, subject to approval by Governor in Council, any agricultural policy, county or district Federation of Agriculture or any other association may hold an annual exhibition of agricultural and horticultural products and articles; for the form and payment of provincial grants in aid of such exhibitions under specified conditions; for municipal, city and town grants for like purposes; for the payment of competent judges, and for the terms of conduct of exhibitions.

Part XVI continues the Nova Scotia Agricultural College and Experimental Farm at Truro, provides for its equipment and maintenance and the appointment of professors, instructors and a farm manager. (For summaries of other parts of this Act, see under "Administration", "Production-Livestock", "Production-Crops", "Marketing-General", "Marketing-Livestock and Livestock Products", and "Land Policy".)

AGROLOGISTS ACT, R.S.N.S. 1954, c. 6.

The Nova Scotia Institute of Agrologists is continued as a body corporate. The Act provides for a council of management for the Institute and a Board of Examiners and prescribes the powers of the Institute, who may be members, how registration is to be made and similar matters. No person may practise agrology or assume the title of Agrologist unless he is a member in good standing of the Institute. "Practising agrology" means teaching or demonstrating the science or art of agriculture or advising or conducting scientific experiments and research in relation thereto as a chief occupation.

VETERINARY MEDICAL ACT, S.N.S. 1958, c. 15; amendment: 1959, c. 56.

The Nova Scotia Veterinary Medical Association, comprising all persons duly qualified to practise as veterinarians, is constituted as a corporate body. The objects of the Association are outlined, the main one being to encourage, promote and safeguard the health of livestock generally. All members must undertake to practise the profession of veterinary medicine in a professional and becoming manner, and in accordance with the provisions of the Act and the by-laws of the Association. A Council of the Association is to direct and manage the affairs of the Association.

Except for those who practised in Nova Scotia for a period of not less than five years prior to January 1, 1965, no person who is not a member of the Association can practise veterinary medicine in the Province for hire, gain or reward. A person must also be eligible to become a member of the Association, to obtain permanent appointment as a veterinarian in any branch of the public service of Nova Scotia.

AN ACT TO PROVIDE FOR THE ORGANIZATION OF WOMEN'S INSTITUTES, S.N.S. 1914, c. 153; amendment: 1942, c. 74 (PRIVATE ACT).

This Act prescribes how Women's Institutes may be organized, provides for the appointment of a Superintendent of Women's Institutes as an officer of the Department of Agriculture and permits the Province to make an annual grant not exceeding \$5,000 to assist the work of the local Institutes and the Provincial Women's Institutes.

N E W B R U N S W I C K

AGRICULTURAL SCHOOLS ACT, R.S.N.B. 1952, c. 6.

Schools shall be established in the Province under the control of the Minister of Agriculture and Rural Development for instruction in the theory and practice of agriculture, horticulture, forestry, animal husbandry, butter and cheese making, domestic science, manual training, the construction and use of varieties of buildings, fences, drainage systems, machinery, implements and similar equipment, and in the elements of various sciences applicable to the above subjects. Provision is made for a full report of each school to be furnished annually by the Minister of Agriculture and Rural Development to the Legislative Assembly. The Lieutenant-Governor in Council may enter into arrangements with the Government of Canada and the governments of other Atlantic Provinces for the establishment in any of the provinces of an agricultural school, the cost of maintenance to be borne proportionately by the parties to the agreement.

AGRICULTURAL ASSOCIATIONS ACT, R.S.N.B. 1952, c. 5.

The supervision and control of agricultural fair associations, agricultural societies, district farmers' associations, the provincial farmers' association and specialized agricultural associations, such as those devoted to the improvement of a particular breed of livestock, are vested in the

Minister of Agriculture and Rural Development. These associations may be incorporated and have power to borrow money. To date, only agricultural societies and agricultural fair associations have been incorporated under this Act. The Lieutenant-Governor in Council may make regulations concerning the organization and objects of associations and providing for provincial grants to them under certain conditions.

WOMEN'S INSTITUTE ACT, R.S.N.B. 1952, c. 253; amendment: 1957, c. 67.

Provision is made for a provincial organization to be known as the New Brunswick Women's Institutes and all Institutes serving communities shall be branch institutes of that organization. There is to be a provincial Director of Home Economics Service who is to be superintendent of Women's Institutes and also a Provincial Advisory Board to advise the Minister of Agriculture and Rural Development. The latter board is to have ten members, in addition to the Minister and Director, chosen at the Provincial Convention of the New Brunswick Women's Institutes. The Act describes how a Women's Institute may be incorporated and organized, and deals with membership, election of officers, conduct of meetings, pre-requisites for provincial grants to Institutes and the mode of payment, reports and similar matters. Women's Institutes are to be non-sectarian and non-partisan and their object is to be the improvement of conditions in rural and other communities.

#### 7. CO-OPERATIVES AND CREDIT UNIONS

##### N E W F O U N D L A N D

CO-OPERATIVE SOCIETIES ACT, R.S.N. 1952, c. 172; amendments: 1953, c. 68; 1954, c. 42; 1963, c. 4; 1966, c. 23.

"An Act Respecting Co-operative Societies".

This Act provides for the registration of co-operative societies, sets forth the method and conditions of registration, membership, the rights and liabilities of members, and the duties of registered societies. It deals with the audit and annual return of societies, inspection of books, the privileges of societies, the property and funds of societies, the amalgamation of societies, the appointment of an administrator if required by the Registrar of Co-operative Societies, the transfer and withdrawal of shares, the bonding of officers in charge of money, inspection of the affairs of societies by the Registrar, and the winding-up of societies.

CO-OPERATIVE DEVELOPMENT LOAN ACT, R.S.N. 1952, c. 247; amendments: 1955, c. 5; 1957, c. 3.

"An Act to Provide for Loans to Co-operative Societies and to Create a Co-operative Development Loan Board for Newfoundland".

The Co-operative Development Loan Board of Newfoundland is established as a body corporate to administer the Co-operative Development Loan Fund for the purpose of encouraging societies to develop and improve the industries,

commerce and services of the Province, particularly by making loans to societies for assisting in the construction of plants and the purchase of plant equipment and for other suitable purposes. The Board may also guarantee loans and may enter into agreements with the Government of Canada or any public or private organization. The Board may set the terms and conditions of loans and the purposes for which they may be made.

#### PRINCE EDWARD ISLAND

CO-OPERATIVE ASSOCIATIONS ACT, R.S.P.E.I. 1951, c. 32: amendments:1956, c. 5; 1957, c. 9.

Any ten or more persons, or five or more associations, may form an incorporated association to produce or sell livestock, farm products or fishery products on the co-operative plan or to operate a business for procuring and selling supplies or rendering services to producers and consumers. The Act prescribes the method of incorporation, the powers of the association, the by-laws which the association may have and deals with membership, registers, contracts, capital and shares, elections, annual statements and returns, apportionment of surplus, obligations of officers and shareholders, dissolution of associations and similar matters. A Supervisor of Co-operative Associations may be appointed to inspect, inquire and examine into the affairs of co-operative associations and report to the Provincial Secretary. If no person is designated as Supervisor, the Registrar (the Deputy Provincial Secretary) shall have his powers and duties.

INCOME TAX ACT OF PRINCE EDWARD ISLAND, R.S.P.E.I. 1951, c. 155.

Section 3(1) of this Act exempts from income taxation the income of farmers', dairymen's, fruit growers', poultrymen's, fishermen's and other like co-operative associations which market the product of the members under an obligation to pay to them the proceeds from the sales, less expenses and reserves, or purchase supplies and equipment for the use of the members under an obligation to turn them over to the members at cost, plus expenses and reserves. Co-operatives must not do business with non-members to a value greater than 20 per cent of their total purchases. The exemption extends to associations owned or controlled by co-operative associations for the purpose of financing their operations.

CREDIT UNION ACT, S.P.E.I. 1964, c. 7

(This Act supersedes the Credit Union Societies Act, R.S.P.E.I. 1951 and Amendments.)

The P.E.I. Credit Union League Limited is charged with the administration of this Act, and is required to inspect and examine from time to time the administrative and financial affairs of all credit unions; to report annually to the Provincial Secretary respecting the state of affairs of credit unions, and to perform such other administrative duties as may be prescribed by the Lieutenant-Governor in Council. The rules and regulations made by the League are to be the rules and regulations of each credit union, and a Registrar shall keep a register and record of all credit unions.

Any seven or more persons of the age of 21 years or over with a common bond of occupation or association may be constituted a credit union. The Act also details the powers of credit unions, including those to make contracts; acquire, hold or dispose of property; undertake mergers; receive payments on shares or deposits; lend funds; borrow moneys; purchase life insurance on its members; invest surplus funds in authorized securities, and sell negotiable cheques to members.

The administration and management of each credit union is vested in a Board of Directors, in addition to a Credit Committee and a Supervisory Committee. The election of officers, and the duties and powers of the Board of Directors, Credit and Supervisory Committee are described.

Before declaration of dividend, 20 per cent of the net earnings of a credit union are to be set aside as a Reserve Fund. A Credit Union Stabilization Fund and Board for all credit unions is also provided by the Act, the Fund comprising all moneys received by the Board, including a levy not exceeding one per cent of the annual gross earnings of all credit unions.

#### NOVA SCOTIA

CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.S. 1954, c. 53; amendments: 1961, c. 21; 1961, c. 21; 1962, c. 24; 1963, c. 20.

This Act sets forth the method of incorporating co-operative associations, the powers and capacity of association, their membership and share capital, disposition of profits, association auditors' reports and similar matters. The Minister may also appoint an auditor at any time to audit the financial affairs of any association, and to report to the Minister. Provision is made for the appointment of a provincial inspector of Co-operative Associations and his powers are prescribed.

FARMERS' FRUIT, PRODUCE AND WAREHOUSE ASSOCIATIONS ACT, R.S.N.S. 1954, c. 94; amendment: 1959, c. 20.

This Act describes how five or more persons may form themselves into a company for the purpose of buying, selling, dealing in and packing fruit, fodder and other farm produce, arsenate of lead, spraying materials, insecticides and fungicides, power spraying outfits, nails, pulp heads, paper and packing materials, flour, feeds and all milling produce, artificial fertilizers, seeds, farm implements, tools, wagons and all manner of merchandise; buying, selling, leasing, erecting and operating stores, store-houses, warehouses and other buildings incidental to the purposes of the company; and investing in any company or business considered to be for the benefit of the company. The Act deals with the name of the association, its registration, election of directors and officers, powers of the company, by-laws, shares and liability of shareholders. The Act also provides for the formation of a central company consisting of not less than ten individual companies and deals with the method of incorporation, powers, organization, membership, by-laws, etc. of the central company. Provision is also made for the formation of companies whose objects shall be to lend money to members on suitable security and to borrow money by the issue of debentures.

The types of companies or associations which may be members of the last-named company are specified and there are provisions regarding the appointment of its directors, their term of office and similar matters.

BLUEBERRY ASSOCIATIONS ACT, R.S.N.S. 1954, c. 25.

Any ten or more persons of the age of 18 or over may secure incorporation under the name of Station No....Blueberry Association of Nova Scotia, provided they are actually engaged in the occupation of berry picking. The Minister of Lands and Forests may set aside an area or areas of Crown Lands as blueberry commons. The objects of an association are to obtain an area of Crown Land for the cultivation, picking and co-operative shipping and selling of blueberries therefrom and to procure reliable information on the latest improvements in the methods of cultivation, picking, shipping and selling blueberries. The Act prescribes the organization of an association and deals with the election of officers, drafting of regulations and annual returns to the Minister of Lands and Forests.

CREDIT UNION ACT, R.S.N.S. 1954, c. 64; amendments: 1955, c. 22; 1956, c. 20; 1958, c. 28; 1959, c. 18; 1960, c. 26; 1962, c. 25; 1963, c. 22; 1964, c. 20.

Any 15 or more persons who have a common occupation or association or are neighbors may form a credit union and have it incorporated. The Act describes the method of incorporation and deals with such matters as the choice of corporate name, membership and shares, capital and liability, by-laws, meetings, powers, management and administration, the granting of loans, the borrowing of moneys, mergers, guaranty funds, the apportionment of earnings (including dividend payments), returns and financial statements, and suspension and dissolution. Provision is made for the appointment of a provincial Registrar of Credit Unions and for inspectors of credit unions, and their duties are prescribed. This Act is administered by the Provincial Secretary.

N E W B R U N S W I C K

CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.B. 1952, c. 40; amendments: 1954, c. 29; 1955, c. 34; 1956, c. 25; 1960, c. 21; 1967, c. 31.

An association may be incorporated under this Act to operate a co-operative business to buy, sell, barter, pack, process, manufacture, preserve, can, grade, store, handle or deal in livestock produce, eggs, poultry, seeds, feeds, fertilizer and all kinds of farm products and all manner of merchandise or supplies necessary for producing, packing, processing, manufacturing, marketing or transporting such goods and merchandise. It may also buy, sell, lease, erect, improve and operate stores, warehouses, wharves, canneries, plants, storehouses and other buildings to carry on the business of processors, manufacturers, store-keepers or warehousemen, and it may carry on a service of artificial insemination of livestock. The Act describes the method of incorporation and deals with such matters as the names of associations, membership and share book requirements, directors and officers, elections, by-laws, capital stock, borrowing powers, disposition of surplus, investment,

audit, annual meeting and reports. Provision is made for the appointment of an inspector to supervise co-operative associations and of a registrar to keep a record of matters concerning associations. An association may operate a hospitalization or medical plan for its members and employees and their dependants under certain specified conditions.

CREDIT UNIONS ACT, S.N.B. 1963 (Second session), c. 2; amendments: 1964, c. 24; 1966, c.45; 1967, c. 32.

(This Act supersedes the Credit Unions Act, R.S.N.B. 1952, and Amendments).

A credit union may be incorporated for the purpose of promoting thrift among its members; creating a source of credit for its members; receiving the savings of its members as payment on shares or as deposits; making loans to members and to other credit unions, as well to co-operative associations and other organizations which are members. A credit union may invest in any investment authorized by the Trustee Act, but may not invest more than 25 per cent of its capital in the paid up shares of other credit unions. The names of all credit unions must include the words "Credit Union Limited" or "La Caisse Populaire Limitée".

The Act also deals with the appointment of a Registrar of Credit Unions; the method of incorporation of credit unions; the election of directors; the election or appointment of a president, vice-president, secretary and treasurer, or secretary-treasurer; the duties and powers of the directors; the formation and duties of credit and supervisory committees, as well as such matters as by-laws, membership, capital and shares, procedure for mergers, reserve fund, dividends, reports and audit, suspension and surrender of charter.

Provision is made for loans to members of credit unions for provident and productive purposes subject to approved security, and the Registrar may also, in writing, authorize a credit union to make loans of up to \$1,000 without collateral. Before declaration of dividend, a credit union shall set aside for educational purposes not less than five per cent nor more than 10 per cent of its annual net earnings. A federation incorporated under the Credit Union Federations Act may require its member unions to deposit with the federation for educational purposes up to 50 per cent of the amounts thus set aside.

The Minister of Agriculture and Rural Development is charged with the general administration of the Act.

CREDIT UNION FEDERATIONS ACT, R.S.N.B. 1952, c. 49; amendments: 1955, c. 40; 1957, c. 32; 1958, c. 32; 1960-61, c. 33; 1964, c. 23; 1966, c. 44.

Any ten or more credit unions may be incorporated as a federation for their mutual protection and the furtherance of their common interests. The Act specifies the procedure necessary to obtain incorporation; the number

of and election of representatives from credit unions in the federation; the limit of liability of member credit unions; the composition and election of directors and officers of the federation; the provision of cash reserves; audit procedure, and other similar matters.

At the end of the fiscal year before the payment of interest on money deposited with it, a federation shall set aside not less than ten per cent of the net earnings of its deposit and loan department as a separate reserve fund. This fund is to be used as a reserve against uncollectable loans made or losses incurred by the deposit and loan department.

Where a vacancy occurs in the elected representatives through death or ineligibility, the board of directors of the credit union may appoint a representative to fill the vacancy until the next annual meeting.

A federation may receive such moneys as may be deposited with it by member credit unions, and by such bona fide co-operative insurance associations or companies operating in the Province as the Registrar of Credit Unions may approve. These moneys may, in turn, be loaned to credit unions, approved co-operative associations, and any bona fide co-operative insurance society incorporated under Federal laws, in such amounts as approved by the Registrar.

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CONTROL OF FOOD (DISTRIBUTION) ACT, R.S.N. 1952, c. 30.

N O V A S C O T I A

AN ACT TO ASSIST IN THE PURCHASE OF POWER MACHINES FOR AGRICULTURAL PURPOSES, S.N.S. 1917, c. 11.

AN ACT TO ENCOURAGE THE PURCHASE OF AGRICULTURAL MACHINERY, S.N.S. 1917, c. 12.

AN ACT TO ENCOURAGE THE GROWING OF WHEAT AND OTHER CEREALS, S.N.S. 1915, c. 12; amendments: 1918, c. 21; 1925, c. 77.

OF THE SUPPLY OF CATTLE FEED AND SEED GRAIN TO POLLING DISTRICTS, R.S.N.S. 1923, c. 111; amendments: 1925, c. 59; 1926, c. 40.

AN ACT TO ESTABLISH THE NOVA SCOTIA AGRICULTURAL COLLEGE ADVISORY BOARD, S.N.S. 1934, c. 5.

AN ACT TO AUTHORIZE THE EXPENDITURE OF DOMINION AID FOR AGRICULTURE, S.N.S. 1912, c. 23.

AN ACT TO PROVIDE FOR CARRYING ON AGRICULTURAL DEMONSTRATION WORKS, S.N.S. 1913, c. 11.

VETERINARY ASSOCIATIONS ACT, R.S.N.S. 1954, c. 305.

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GOVT PAPER



# PROVINCIAL AGRICULTURAL LEGISLATION

## in the Atlantic Provinces

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# 1970

CANADA DEPARTMENT OF AGRICULTURE  
ECONOMICS BRANCH

OTTAWA, JUNE 1970





PROVINCIAL  
AGRICULTURAL  
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## PREFACE

This reference bulletin replaces Provincial Agricultural Legislation in the Atlantic Provinces, 1967. The earlier publication is out of print and not available for distribution.

This publication outlines the legislation relating to agriculture in New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island. The Acts of each province are classified into eight broad categories, as listed in the Table of Contents, and are arranged alphabetically within each category.

The abbreviations used are:

S.N.B.	Statutes of New Brunswick
R.S.N.B.	Revised Statutes of New Brunswick
S.N.	Statutes of Newfoundland
R.S.N.	Revised Statutes of Newfoundland
S.N.S.	Statutes of Nova Scotia
R.S.N.S.	Revised Statutes of Nova Scotia
S.P.E.I.	Statutes of Prince Edward Island
R.S.P.E.I.	Revised Statutes of Prince Edward Island
c.	chapter
s.	section

These outlines are not intended to be used as substitutes for the Acts nor are they intended to be complete summaries of the legislation. For legal interpretation, the Statutes should be consulted.

The Economics Branch wishes to acknowledge the assistance given by the officials of the provincial governments in checking the outlines for errors of omission or interpretation.

This bulletin was prepared by Raziuddin M. Siddiqui, Economics Branch, Canada Department of Agriculture.

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NEW BRUNSWICK

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*EXECUTIVE COUNCIL ACT, R.S.N.B. 1952, c. 175.*

This Act provides for the appointment of a Minister of Agriculture and Rural Development and empowers the Lieutenant Governor in Council to prescribe the duties of this and other ministers and of the departments over which they preside.

## II. LAND POLICY

### 1. Development, Conservation, Drainage and Irrigation

#### *AGRICULTURAL REHABILITATION AND DEVELOPMENT ACT, S.N.B. 1961-62, c. 38.*

The Minister of Agriculture and Rural Development, with the approval of the Lieutenant Governor in Council, may enter into an agreement with the Government of Canada for the joint undertaking of projects for the more efficient use and economic development of marginal and sub-marginal agricultural lands; for the development of income and employment opportunities, and for the improvement of living standards in rural agricultural areas. Such agreement may include provision for payment to the province of contributions in respect of the cost of projects undertaken. For the purpose of assisting toward these ends, the Minister may cause to be prepared and undertaken with the Government of Canada, any agency thereof, any educational institution, or person, programs of research and development and the co-ordination of such programs making the most use possible of the services and facilities of departments or agencies of the provincial government.

The Minister may also enter into an agreement with the Government of Canada for the joint undertaking of projects for the development and conservation of water supplies for agricultural purposes, and for soil improvement and conservation that will increase agricultural efficiency. Provision may be made for payment to the province of contributions in respect of the cost of such projects. Programs of research and investigation may be initiated by the Minister in these fields.

The Lieutenant Governor in Council may create a body corporate and politic, with appropriate powers, as an agency of the government of the province to carry out the terms of any agreement made under this Act.

#### *CROWN LANDS ACT, R.S.N.B. 1952, c. 53.*

Sections 52 to 61 of this Act provide for the granting of Crown Lands for settlement. The Minister of Natural Resources may, upon the order of the Lieutenant Governor in Council, grant to the Farm Adjustment Board such portions of the Crown Lands of the province suitable for agricultural development as may be deemed desirable in the public interest, upon payment by the Board for such lands at their real and true value. The Board may then deal with such lands as authorized by the Farm Adjustment Act. The Minister may also ratify a transfer or alienation to an applicant of rights in improvements from a settler unable to carry out the settlement requirements, but the period of residence of a settler upon his settlement lot is not transferable. The Lieutenant Governor in Council may make such regulations as he deems necessary for determining the terms

and conditions upon which settlement lots are to be granted. Some of the conditions precedent to the issuing of grants may be waived for war veterans.

Sections 65 and 66 deal with the leasing of Crown Lands, other than for the cutting of trees, as may be considered advisable.

*DRAINAGE OF FARM LANDS ACT, R.S.N.B. 1952, c. 65.*

When a farm drainage ditch must run through the property of an adjacent owner, application may be made to the Minister of Agriculture and Rural Development to construct such ditch or drain. The Minister, or anyone designated by him to act on his behalf, may investigate the need for the drainage, the damage that will be done to any property, the estimated cost, the value of the drainage to the land served by the ditch, and the amount that should be assessed upon each property which will receive benefit from the drainage. Although agreement should be sought among the interested parties, the ditch or drain may be constructed whether or not agreement is obtained. If a person is not satisfied with the amount for damage as determined by the Minister, the person may refer the matter to the Land Compensation Board.

*MARSHLAND RECLAMATION ACT, R.S.N.B. 1952, c. 141.*

A Marshland Reclamation Commission may be appointed by the Lieutenant Governor in Council to advise the Minister of Agriculture and Rural Development regarding the reclamation and protection of marshland and its development and maintenance for agricultural purposes; to examine proposals for the construction, repair, maintenance or operation of works, and make recommendations to the Minister thereupon. The Minister may construct, repair and operate works recommended by the Commission and may enter into agreements with Canada, a body, or a person for the constructing, reconstructing, reconditioning, repairing, maintaining, conducting or operating of works at the joint expense of the parties to the agreement.

Upon a petition of two-thirds of the owners of an area of marshland who own at least half the area, the Minister may grant a Certificate of Incorporation to the owners in the area creating a Marsh Body. The Certificate may be issued, however, only if recommended by the Commission. A Marsh Body is empowered to acquire, hold, sell and lease real and personal property; construct, recondition, repair, maintain and operate works; enter into agreements with the province or any person for construction, reconditioning, repair, maintenance and operation of the works, and raise money by borrowing. The Act provides for an executive committee for each Body and deals with elections, the conduct of meetings, budgets, the special reserve fund, powers of entry and expropriation, and by-laws.

*WATER ACT, S.N.B. 1960-61, c. 19.*

*(This Act supersedes the Water Resources and Pollution Control Act, S.N.B. 1956, c. 14, and amendments).*

A New Brunswick Water Authority, responsible to the Minister of Natural Resources, is provided for in this Act and may be appointed by the Lieutenant Governor in Council. An Advisory Board to the Authority, may also be appointed, consisting of not less than 10 or more than 15 members, one of these persons being a representative of the Department of Agriculture and Rural Development.

The Authority has control of the use of all surface, ground and shore waters; the allocation and the use of water; pollution originating within the jurisdiction of the province; and alteration of the natural feature of any water course or lake and the natural movement of water therein. The Minister, with the approval of the Lieutenant Governor in Council, may assist a municipality with any plan, work or undertaking for controlling or preventing pollution. Penalties are provided for contravention or non-compliance with any provision of the Act, or its regulations, by any person or municipality.

2. Settlement

*FARM ADJUSTMENT ACT, S.N.B. 1966, c. 9.*

*(This Act supersedes the Farm Settlement Act, R.S.N.B. 1952, and amendments).*

The Farm Adjustment Board is constituted as a body corporate, responsible to the Minister of Agriculture and Rural Development. The Board may acquire, deal with, lease, sell or otherwise dispose of land; make loans for the purchase of farms or of additional land for existing farms, for the erection of farm buildings and facilities, or for the buying of essential farm equipment and livestock; make loans and grants to convert ineffectively used land to a more effective use, to establish and improve woodlots, and to persons affected by land use and farm adjustment projects; undertake research and investigations required for the formulation of programs and projects; and undertake or assist in projects involving land use or land management aimed at increasing income and employment opportunities in rural areas.

The Act also deals with the procedure to be followed should a leasee or purchaser fail to carry out any term or condition of an agreement, and with repossession and the rights and obligations of heirs in the event of the death of a lessee or purchaser.

All agreements and obligations entered into under the Farm Settlement Act remain in force, but a new agreement may be negotiated under the Farm Adjustment Act in substitution for the original.

*SOLDIER SETTLEMENT ACT, R.S.N.B. 1952, c. 215.*

This Act describes how Crown Lands and privately owned lands may be granted to the Soldier Settlement Board for conveyance to World War I veterans.

3. Tenure and Assessment

*ABANDONED LANDS ACT, R.S.N.B. 1952, c. 1.*

Whenever it appears to the Minister of Natural Resources that land in the province has been abandoned and the whereabouts of the registered owner or his heirs or next-of-kin are unknown, the Minister may take proceedings to revest the land in the Crown. The Act prescribes the notice that must be published, how claims to the land are to be filed, and what the Order in Council revesting the land must contain.

*ASSESSMENT ACT, S.N.B. 1965-66 (Second session), c. 110.*

Section 4 of this Act exempts from taxation the real property of or the real property occupied by agricultural societies and agricultural exhibition associations not organized or incorporated for commercial purposes.

The Act also provides that real property in actual and bona fide use as farm land shall be assessed at its real and true value as farm land. Where farm woodlots are held in blocks of 200 acres or more, they are to be assessed at a value that would realize a tax of 25 cents per acre per year; where held in blocks of less than 200 acres, assessment is to be at their real and true value or at a value that would realize a tax of 25 cents per acre per year, whichever is the lesser.

*FENCES ACT, R.S.N.B. 1952, c. 84.*

This Act defines lawful fences. The Lieutenant Governor in Council may make regulations respecting the designation of roads and other boundaries as lawful fences; the running at large of cattle, and the setting aside of areas as grazing areas. The Act also deals with the liability of owners of adjoining lands concerning line fences, the method of settling line fence disputes, and the rights and duties of fence viewers. The Minister of Agriculture and Rural Development may appoint one or more fence viewers.

*LAND COMPENSATION BOARD ACT, S.N.B. 1964, c. 6.*

This Act provides for the establishment of a Land Compensation Board, with a Chairman and members appointed by the Lieutenant Governor in Council. The Board has the jurisdiction and power to hear and determine all applications made, proceedings instituted and matters referred to or brought before it and for such purposes may make orders, rules and regulations, give directions, issue certificates and perform such other matters necessary or incidental to the exercise of its powers.

Where land or other property has been expropriated, the amount of compensation or damages payable shall, unless agreed upon by the parties, be referred to the Board, as also shall the amount of any monetary claim which is required to be determined by arbitration. Any arbitration in which the amount involved exceeds \$2,000 may, with the consent of the parties, be referred to the Board. Except with the consent of the parties, the Board does not have jurisdiction in any arbitration under the City of St. John Urban Renewal Expropriation Act, or where arbitrators have already been appointed to determine a dispute and the hearing has not been completed.

*LANDLORD AND TENANT ACT, R.S.N.B. 1952, c. 126.*

Section 26 of this Act provides that a landlord may take under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, livestock and other domestic animals which are grazing or feeding upon any highway, road allowance or way belonging to the premises for which the rent distrained is payable. Sections 30 and 31 provide that a landlord may distrain sheaves or cocks of grain or grain loose or in the straw or hay, lying in any barn or granary which is on any part of the land charged with the rent and he may take growing crops as a distress for rent. Sections 32 and 33 allow the landlord who takes growing crops as a distress for rent to harvest and sell them or to sell them standing. The Act, in general, covers the relationship between landlord and tenant and deals with such matters as covenants running with the land and the reversionary estate in the land, waste by tenants, defects in leases, rights of re-entry, licences to tenants, forfeiture of leases, notices to terminate tenancies, distress for rent, impounding distrainable goods taken on execution, renewals of leases, proceedings against overholding tenants and summary proceedings for non-payment of rent.

*QUIETING OF TITLES ACT, R.S.N.B. 1952, c. 190.*

Any person claiming to be the owner of any land is entitled to have his title thereto judicially investigated and its validity ascertained and declared, whether or not he has the legal estate and whether or not his title is subject to a charge or encumbrance. The Act also prescribes the method of application to the Supreme Court; the manner of proof; the awarding of certificates of title; the effect of fraud in obtaining a certificate, and the procedure for re-investigations and appeals.

*REGISTRY ACT, R.S.N.B. 1952, c. 195.*

This Act establishes a registry office in each county, prescribes the duties of the registrar and describes how instruments affecting lands are to be registered and the effect of such registration. A schedule of fees is appended to the Act.

*SALES OF LANDS PUBLICATION ACT, R.S.N.B. 1952, c. 200.*

This Act sets forth the procedures to be followed when making a sale of lands, or interest therein, under execution by a Sheriff, Supreme Court order, probate court licence, or power of sale under a mortgage. The Act also describes the required contents of any advertisement or notification of sale in "The Royal Gazette".

*TRESPASSES TO LAND AND LUMBER ACT, R.S.N.B. 1952, c. 236.*

Where any trees, timber or lumber on lands held under lease or licence from the Crown are cut down, carried away, or otherwise destroyed, the licensee shall, as against all persons except the Crown, be deemed to be the owner of such trees, timber or lumber with all rights incidental thereto, and shall be deemed to be in possession of such lands for the purpose of maintaining an action for damages and compensation.

### III. FINANCE

#### 1. Credit

##### *ASSISTANCE TO INDUSTRY ACT, S.N.B. 1960-61, c. 3.*

This Act establishes an Industrial Development Board for the province. Agriculture is included in the definition of "industry" in Section 1 of the Act. The Board has the power and authority, *inter alia*, to make loans and advances to and to guarantee the repayment of loans by persons, associations or corporations engaged in industry directly or indirectly, a municipality of the province or a corporation sponsored by such a municipality, for the purpose of industrial development or expansion.

##### *FARM CREDIT CORPORATION ASSISTANCE ACT, S.N.B. 1965-66 (Second session), c. 112.*

Subject to regulations by the Lieutenant Governor in Council respecting the conditions under which payments may be made, the Minister of Finance and Industry shall, if the Minister of Agriculture and Rural Development orders, pay the difference, not exceeding three per cent, between an annual interest rate of 2.5 per cent and that charged by the Farm Credit Corporation on the capital of loans made to farmers of the province.

##### *FARM LOANS ACT, S.N.B. 1963 (Second session), c. 4.*

If a bank or credit union which makes a loan to a farmer for the purchase of cattle, sheep or swine, sustains a resulting loss within five years after making the loan or such further time as the Act may prescribe, and if the making of the loan has been reported within the required time to the Minister of Agriculture and Rural Development and if a claim for loss has been lodged in accordance with the prescribed procedure and time, the Minister of Finance and Industry, on the order of the Minister of Agriculture and Rural Development, shall pay the lender 50 per cent of the loss sustained, or \$2,500, whichever is the lesser.

##### *MEMORIALS AND EXECUTIONS ACT, R.S.N.B. 1952, c. 143.*

Section 33 of this Act provides that the following goods are exempt from seizure under execution, in addition to the household furnishings and wearing apparel customarily exempt: all necessary fuel, meat, fish, flour and vegetables actually provided for family use and required for ordinary consumption by the debtor and his family for three months and not exceeding \$100 in value; 2 horses and sets of harness, 2 cows, 10 sheep, 2 hogs and 20 fowl and food therefor for 6 months; tools, agricultural implements or chattels ordinarily used in the debtor's occupation to the value of \$200; and seed grain and potatoes for seeding and planting purposes to the following quantities - 40 bushels of oats, 10 bushels of barley, 10 bushels of buckwheat, 10 bushels of wheat and 35 barrels of potatoes.

*TILE DRAINAGE LOANS ACT, R.S.N.B. 1952, c. 229.*

The Tile Drainage Board is established as a body corporate and politic for the purpose of making loans to farmers to enable them to construct tile, stone or timber underdrains. All loans are to be made on the security of mortgages of the farm lands on which the drains are constructed. The amount loaned to any one farmer or in respect of any one farm shall not exceed \$1,000 or 75 per cent of the cost of the drainage works for which the loan is made. A loan shall be repayable in equal annual instalments over a period of not more than 10 years. The rate of interest is to be determined by the Lieutenant Governor in Council.

2. Income Assistance

*CROP INSURANCE ACT, S.N.B. 1966, c. 5.*

The Minister of Agriculture and Rural Development for New Brunswick, when so authorized by the Lieutenant Governor in Council, may enter into and carry out agreements with the Minister of Agriculture for Canada in respect of crop insurance in the province. To give effect to the provisions of the Act, the Lieutenant Governor in Council may make regulations with respect to the establishment and administration of a scheme of crop insurance in and for the province; establishing and providing the organization of a corporate body, with prescribed powers and duties, including the provision of crop insurance and undertaking all necessary arrangements, contracts and agreements; providing for the establishment of a Crop Insurance Fund and for the use that may be made of the Fund and the investment thereof; prescribing measures for the recovery of unpaid premiums under the crop insurance scheme and penalties for contravention of the regulations.

At least once a year, the books and accounts of any corporate body established under the Act are to be audited by the Comptroller General. In the absence of a special vote of the Legislature, expenses incurred and any moneys the province becomes liable to pay in carrying out the terms of any agreement under the Act are to be a charge upon and to be paid out of the Consolidated Revenue Fund.

#### IV. PRODUCTION

##### 1. General

###### *MOTOR VEHICLE ACT, S.N.B. 1955, c. 13.*

Section 12 of this Act provides that an implement of husbandry which is only incidentally operated or moved upon a highway does not need to be registered. This includes a farm tractor designed for agricultural purposes and exclusively used by the owner in the conduct of his agricultural operations. No person shall knowingly permit his farm tractor to be driven by any person (including the owner's child or ward) when such person is not authorized under the Act. Where a person is in possession of a farm tractor under a contract by which he may become the owner, the person in possession shall be deemed the owner. Farm machinery with tires having protuberances beyond the tread of the traction surface of the tire is permitted to travel on a highway, provided such protuberances will not injure the highway. The Act further states that no person shall operate a motor vehicle on a highway while allowing any person to be towed or attached in any manner if the other person is riding upon any kind of device not capable of being registered under the Act.

###### *SEASONAL EMPLOYMENT ACT, S.N.B. 1959, c. 12.*

Provision is made for the appointment of a committee to be known as the Advisory Committee on Seasonal Employment and composed of not less than three nor more than eight persons representative of labor, management and government, to act in an advisory capacity to the Minister of Labour.

The Committee is required to keep the employment situation in the province under careful scrutiny and study at all times; to co-ordinate seasonal employment programs carried on by public authorities and private enterprises; to initiate and arrange studies of seasonal employment trends; and to perform such other functions as may be prescribed.

The province may also enter into and amend agreements with the Government of Canada, any municipality, or jointly with such authorities, to undertake and carry out projects that will provide the maximum utilization of the labor force.

##### 2. Crops

###### *ENCOURAGEMENT OF SEED GROWING ACT, R.S.N.B. 1952, c. 72.*

Upon recommendation of the Minister of Agriculture and Rural Development, the Lieutenant Governor in Council may establish special areas to encourage the growing of pure seed of any open-pollinated farm or garden crop and to prevent the cross-pollination of such seed. No person may grow in any such area any variety or strain of seed crop other than the

variety or strain permitted by the regulations made under this Act. Regulations may be made approving a variety or varieties of seed; appointing inspectors to test and approve seed; and prohibiting the growing in an area of any variety or strain of seed other than the one for which the area is established.

*INJURIOUS INSECT AND PEST ACT, R.S.N.B. 1952, c.110.*

The Lieutenant Governor in Council may make such regulations as are deemed expedient to prevent the introduction into the province or the dissemination therein of any insect, pest or plant disease seriously injurious to vegetation, and may designate the insect, pest and plant diseases to which this act shall apply. Such regulations may provide for the prohibition of admission into the province of vegetable or other matter likely to introduce any insect, pest or plant disease; the method of treatment to eradicate or control a disease or pest; the collection from owners of the cost of treatment (including eradication); the prohibition of the sale of diseased or infected vegetation; the confiscation of infected vegetable matter and the containers thereof, and the quarantining of areas where an insect or plant disease becomes a menace to crops. Inspectors may be appointed, and their rights and duties are prescribed.

*PLANT DISEASE ACT, S.N.B. 1969, c. 15.*

No person shall knowingly transport or ship from a nursery or premises of a dealer in nursery stock, sell, offer for sale, or have in his possession for sale at a nursery or at premises of a dealer in nursery stock any plant having a plant disease. No person shall operate a nursery without a licence from the Minister. No person, other than a person licensed to operate a nursery, shall be a dealer in nursery stock, unless that person is licensed by the Minister.

An inspector may enter any premises in which plants are processed and any premises used in connection therewith where he has reason to believe there are plants having a plant disease or any container infected with the causal organism of any plant disease.

Where the Director or an inspector finds a plant disease or any causal organisms of plant disease in any premises or vehicle, he may order the owner, occupier, or person in charge of the premises or vehicle to disinfect any plant, land, building, vehicle or container, or to treat or destroy any plant in such manner and within such period of time as the order requires.

No person shall sell, offer for sale or have in his possession for sale as seed potatoes any potatoes except certified, foundation, elite II or elite III seed stock potatoes.

The Director or inspector has powers of entry and quarantine under the Act. Procedure for appeals against the order by the Director or inspector are prescribed in the Act.

Penalties are provided for those who violate the provisions of this Act.

The Lieutenant Governor in Council may make regulations designating plant disease; prescribing the duties of the Director and inspectors; providing for the issue of licences; providing for the control or eradication of any plant disease in the province; and for the better administration of this Act.

*POTATO INDUSTRY ACT, S.N.B. 1969, c. 16.*

For the purpose of promoting and developing the potato industry the province is divided into two regions as follows:

- (a) Region 1 consisting of York, Carleton, Victoria and Madawaska counties, and that portion of Restigouche county west of the Upsalquitch River;
- (b) Region 2 consisting of the remainder of the province.

The Lieutenant Governor in Council may delete, from either region, any county or part of a county and shall thereupon add that county or part of that county to other region.

On the application of not less than twenty-five producers in Region 1 who shall represent not less than two-thirds of the total acreage of potatoes grown in Region 1, the Minister may establish a New Brunswick Potato Producers Association.

On the application of not less than ten shippers in Region 1, the Minister may establish a New Brunswick Shippers Association.

On the application of not less than three processors, the Minister may establish a New Brunswick Processors Association. When an Association has been established, any producer, shipper or processor in either region may become a member of the Producers Association, Shippers Association or Processors Association respectively, but no person shall be a member of more than one Association. The Minister may establish a New Brunswick Potato Joint Council which will consist of representatives from the three Associations as prescribed in the Act.

The Council may:

- (a) collect fees of up to one cent per hundredweight on all sales of potatoes by producers in Region 1, or by producers who are members of the Producers Association;
- (b) require a producer in Region 1, or a producer who is a member of the Producers Association to be registered by the Council and to pay a registration fee of one dollar;
- (c) require a shipper who acquires for resale, sells, consigns or transports potatoes in or from Region 1, or a shipper who is a member of the Shippers Association, to be licensed by the Council and to pay a fee of five hundred dollars for a shipper's license where a shipper ships less than one hundred cars, and an additional fee of five dollars for each car shipped in excess of one hundred cars;
- (d) require a processor in Region 1, or a processor who is a member of the Processors Association, to be registered by the Council and to pay a registration fee of five hundred dollars;
- (e) require a shipper to be bonded for protection against losses to producers and to fix the amount of such bond; and
- (f) with the approval of the Minister, appoint inspectors.

The fees shall be placed in a special fund to be known as the Potato Industry Fund and used for the purposes set forth in the Act.

No person in Region 1, other than the operator of a retail store in Region 1, shall acquire for resale, sell, consign or transfer potatoes unless he is a licensed shipper. The Council has the power to refuse to issue or renew any licence or registration, and may suspend or revoke any such licence or registration for failure to observe, perform or carry out any provisions of this Act or the regulations or any rule or regulation of the Council. An inspector, appointed by the Council, shall have access to all places where potatoes and potato products are stored, handled or graded. The Minister may authorize inspectors appointed under the Natural Products Grades Act to assist in the administration and enforcement of this Act and the regulations. The Lieutenant Governor in Council may make regulations prescribing the terms and conditions under which fees are to

be levied; prescribing the conditions and procedures for registering producers, shippers and processors; and generally for the better administration of the Act. Penalties are prescribed for those who violate the provisions of this Act.

*WEED CONTROL ACT, S.N.B. 1969, c. 21.*

Every owner or occupier of land shall destroy all noxious weeds thereon as often in every year as is necessary to prevent the ripening of their seeds. Where the land abuts a river, stream, lake or other body of water, the owner or occupier shall destroy all noxious weeds that are growing between the limit of his land and the low water mark of the river, stream, lake or other body of water unless the land between the low water mark and his land is owned by a public utility or the Crown, in which case the public utility or the Crown is responsible for control of noxious weeds.

The Minister may appoint inspectors who shall carry out such duties as are assigned to them under the Act. Where an inspector finds noxious weeds or weed seeds on any land he shall, in consultation with the owner or occupier, determine a satisfactory method of destroying such noxious weeds or weed seeds and may by written order require the owner or occupier to destroy the noxious weeds or weed seeds within the period specified in the order. Procedures for appeal against the order are also prescribed in the Act.

Every person in charge of a grain elevator, grist mill, flour mill, seed-cleaning plant or other grain-cleaning or grain-grinding plant shall dispose of all refuse containing weed seeds in such a manner as will prevent the weed seeds from growing or spreading.

Every person who contravenes this Act is guilty of an offence and liable to a fine of not more than five hundred dollars, and in default of payment, to imprisonment for a term not exceeding six months.

The Lieutenant Governor in Council may make regulations to carry out effectively the intent and purpose of this Act.

3. Livestock

*APIARY INSPECTION ACT, R.S.N.B. 1952, c. 7.*

All bees imported into the province in hives or combs and all bees among which a contagious or infectious disease exists shall be in quarantine on the premises of the owner who must notify the Minister of Agriculture and Rural Development within 10 days and may not remove the bees or any used apiary appliances from the premises until he has been granted a certificate that the bees and appliances have been disinfected

and are free of disease. No person may keep a colony of bees infected with foul brood or other infectious disease. Provision is made for the appointment of inspectors to inspect apiaries annually; instruct bee-keepers in the action to be taken where disease is discovered; order the transfer of bees to movable frame hives, and perform other similar duties. Special instructions to persons engaged in the rearing of queen bees are contained in the Act. The spraying of trees in full bloom with mixtures containing substances injurious to bees is prohibited.

*ARTIFICIAL INSEMINATION ACT, R.S.N.B. 1952, c. 11.*

Provision is made for the appointment of an Artificial Insemination Advisory Board to advise the Minister of Agriculture and Rural Development. The Lieutenant Governor in Council may make regulations prescribing the powers and duties of the Board; providing for the licensing of artificial insemination associations and technicians; prescribing requirements and minimum standards for associations, and the qualification of technicians; and providing for the keeping of records and the making of returns.

*BANG'S DISEASE CONTROL ACT, S.N.B. 1956, c. 8.*

The Lieutenant Governor in Council may designate the whole or any portion of the province as an area for the eradication of Bang's Disease pursuant to the Animal Contagious Diseases Act (Canada) and regulations thereunder.

The Minister of Agriculture and Rural Development may appoint inspectors for the purposes of the provincial Act or designate inspectors or officers of the Health of Animals Division of the Canada Department of Agriculture as inspectors under this Act. Provision is made for the inspection of animals, their vaccinations and quarantines, and the disinfection of premises where suspect conditions exist. The duties of owners and inspectors in a control area are specified.

*BOVINE TUBERCULOSIS ACT, R.S.N.B. 1952, c. 21.*

The sale of cattle known to be affected with tuberculosis is prohibited. It is also forbidden to destroy the mark which an inspector appointed under this Act, may place upon cattle that have been inspected and found to be affected with tuberculosis.

*BRANDING ACT, R.S.N.B. 1952, c. 23.*

This Act prescribes the method of applying for brands and deals with the allotting of brands and their cancellation. The Act includes a table of fees and provides penalties for such offences as branding livestock with a brand other than the owner's or defacing a brand.

*GAME ACT, R.S.N.B. 1952, c. 95.*

Sections 72 to 75 inclusive of this Act deal with fur farming. No person, without the written approval of the Minister of Natural Resources, shall have in his possession or release from captivity in the province any fur-bearing animal. Every fur farmer is required to make an annual report to the Minister concerning the animals in his possession and those sold or purchased during the year. It is forbidden, without the owner's consent, to approach within 25 yards of the outer fence of an enclosure where animals are kept, or to break through the enclosure within which such animals are kept. Any person may kill any dog which is found lurking about an enclosure where fur-bearing animals are kept for breeding purposes, and which is annoying or terrifying the animals.

*POULTRY HEALTH PROTECTION ACT, R.S.N.B. 1952, c. 173.*

Under this Act, the Lieutenant Governor in Council may make regulations to provide that no person may possess poultry infected with a contagious disease; to prohibit the admission of infected poultry into the province; to forbid the entry of poultry unless certified free of disease by the Veterinary Director General (Canada); to provide for the segregation and destruction, without compensation to the owner, of infected poultry; and to define contagious diseases.

*POUNDS ACT, S.N.B. 1966, c. 21.*

*(This Act supersedes the Pounds Act, R.S.N.B. 1952.)*

The Act provides that, when an animal breaks through a lawful fence, or is found at large, any person may file a complaint with the Minister of Agriculture and Rural Development. A pound keeper may investigate the complaint and, if necessary, take the animal into custody.

The pound keeper is required, within three days, to advise the owner of the animal or, if the owner is not known, to advertise, in a newspaper, details of the animal found. If the animal is not claimed within 14 days thereafter, the pound keeper may sell the animal at an auction after giving seven day's notice. Out of the proceeds of the sale, the pound keeper shall pay all expenses connected with the impounding and sale. Any surplus shall be paid to the owner, if it is claimed by him within 14 days of the sale.

*SHEEP PROTECTION ACT, S.N.B. 1966, c. 25.*

*(This Act supersedes the Sheep Protection Act, R.S.N.B. 1952.)*

Where a sheep is killed or injured by a dog, the owner of the sheep may, within 48 hours, notify the Minister of Agriculture and Rural Development. When such notice is received, the Minister shall appoint a valuator to investigate the complaint, and to report, within 10 days, the results of his

investigations and his recommendation to the Minister, with a copy sent to the owner of the sheep.

If the owner of the sheep is not satisfied with the recommendation, he may appeal within 10 days to the Minister, whose decision, to be given within 10 days of receipt of the appeal, shall be final. The Minister of Finance and Industry, on the order of the Minister of Agriculture and Rural Development, shall pay to the owner of the sheep the amount recommended by the valuator or decided upon by the Minister after appeal.

When payment is made to the owner of the sheep, the Minister may recover that amount, as well as the expenses of the investigation, from the owner of the dog.

Where a dog is known to have killed or injured sheep, the Minister may order the dog to be destroyed. A person may kill a dog which he finds killing or injuring a sheep, and the defendant in any action for damages for killing a dog in such circumstances may plead "not guilty by Statute" and give the special matter in evidence.

*SOCIETY FOR THE PREVENTION OF CRUELTY ACT, R.S.N.B. 1952, c. 214.*

This Act specifies the powers of the New Brunswick Society for the Prevention of Cruelty to Animals, and authorizes the Society to establish branch societies in any municipality of the province. The Act also prescribes the duty of any person who finds an animal at large, and the duty of an agent of the Society to destroy an animal found at large which is suffering from an incurable disease or broken limb or other cause that would incapacitate it from further use. Restrictions are placed on the sale, barter, display or gifting of baby chicks, ducklings or other fowl. The Lieutenant Governor in Council may make any regulation considered advisable with respect to horse-hauling contests.

Constables are required to assist officers of the Society (who may also have the privileges of a constable) in enforcing the law. Agents of the Society have the power to seize animals in order to protect them from neglect or cruelty on the part of their owners.

Any person operating a motor vehicle which strikes or injures a domestic animal is required to stop, notify the owner of the animal or a peace officer, and take reasonable and appropriate action so that the animal may receive proper care.

*WARBLE FLY FREE AREA ACT, R.S.N.B. 1952, c. 245.*

Upon receipt of a petition signed by at least 75 per cent of the cattle owners in any area and with the approval of the Minister of Agriculture and Rural Development, the Lieutenant Governor in Council may establish the area as a Warble Fly Free Area. The Minister shall then appoint a committee from among the cattle owners in the area to enforce the provisions of this Act and take all reasonable measures for the eradication of warble fly infestation in the area. The Minister shall appoint inspectors under the Act who may enter premises, treat infested cattle and recover the fees for treatment from the owner.

## V. MARKETING

### 1. General

#### *HEALTH ACT, R.S.N.B. 1952, c. 102.*

Section 6 of this Act empowers the Minister of Health, and any other Minister to whom duties within the purview of the Act may be prescribed, among other matters, to provide for and regulate the inspection, situation, method of construction, equipment, sanitary management, cleansing, disinfecting and licensing of (1) slaughter houses and other places where animals are killed and their meat prepared for sale; (2) canneries, warehouses, cold storage, freezing and warehousing plants; (3) creameries, dairies, cowsheds, stables, market gardens, henneries, cheese and butter factories; and (4) places for the manufacture or sale of any dairy or food products. He may also provide for the pasteurization and processing of milk and milk products and the equipments and standards therefor.

The Minister may make such regulations, rules or orders as he deems necessary concerning the use of various manures and fertilizers which are or may be dangerous to the public health, and for the prevention of the pollution of lakes, rivers, streams, pools, springs, wells and other waters.

#### *NATURAL PRODUCTS CONTROL Act, R.S. N.B. 1952, c. 156.*

The Natural Products Marketing Board is established as a body corporate with authority to investigate, arbitrate and settle any dispute between producers, processors, distributors or transporters of natural products (fish, animals, meats, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other products of agriculture and of forest, sea, lake or river, as may be designated by the Lieutenant Governor in Council). The Board has authority to investigate the cost of producing (including processing), distributing and transporting any natural product ; to investigate prices, price spreads, trade practices, grading policies and other matters concerning marketing; to recommend any plan to the Minister of Agriculture and Rural Development; and to empower a local board to borrow money. Upon receiving a petition from a sufficiently representative group of persons engaged in the marketing of a natural product, the Board may recommend to the Lieutenant Governor in Council the establishment of a local board to market the product. Each local board is to be a body corporate and may be granted power to regulate the time and place at which, and to designate the agency by or through which, a regulated product shall be marketed; to regulate the manner of marketing and the quantity and quality, grade or class of a regulated product which may be marketed; to require that all persons engaged in the production (including processing) or marketing of a regulated product be licensed; to collect licence fees; to fix the prices, maximum or minimum or both, at which a regulated product may be bought and sold; to seize a regulated product suspected of being kept, transported, stored or marketed

in violation of an order of the board; to co-operate with any Canadian board or provincial board to regulate the marketing of a natural product; and to make similar regulations.

*NATURAL PRODUCTS GRADES ACT, R.S.N.B. 1952, c. 157.*

The Lieutenant Governor in Council may make regulations classifying and establishing grades of each kind of product (fish, animals, meat, eggs, poultry, wool, dairy products, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco and such other products of agriculture and of the forest, sea, lake or river as may be designated by the Lieutenant Governor in Council). He may prescribe standards of composition for each kind of product and prohibit the sale of a product which does not meet the minimum grade established or the minimum standard of composition required by the regulations. The Act provides for regulations concerning packages and containers, and the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of natural products; prescribing fees for inspection, registration and licensing of packers, brokers, commission agents and dealers; and concerning the cleanliness and sanitation of premises in which products are assembled, graded or packed. Inspectors appointed under the Act are given power to enter premises and may require the production of records, inspect products and vehicles, take samples and detain products. Penalties are provided for infractions of the Act.

2. Crops

*"AN ACT TO EXTEND THE POWERS OF THE NEW BRUNSWICK POTATO MARKETING BOARD".  
S.N.B. 1954, c. 12.*

In addition to its power to borrow under the Natural Products Control Act, the New Brunswick Potato Marketing Board is authorized to borrow money for such purposes and in such amounts as the Lieutenant Governor in Council approves, and is empowered to assign as security to a chartered bank any liability incurred under this Act. The Act is retroactive to January 1, 1954.

*POTATO WAREHOUSE ASSISTANCE ACT, S.N.B. 1957, c. 13.*

This Act allows the Minister of Agriculture and Rural Development to enter into an agreement with the federal Minister of Agriculture and with a co-operative association respecting financial assistance for the construction of potato warehouses.

### 3. Livestock

#### *CHEESE AND BUTTER MANUFACTURING ASSOCIATIONS ACT, R.S.N.B. 1952, c. 27.*

This Act provides for the incorporation of any five or more persons who desire to form an association for the manufacture and sale of dairy products. It prescribes the method of incorporation, limits the amount of shares which any member may possess to \$1,000, provides for admission of new members, elections and the settlement of disputes, and deals with other similar matters.

#### *COMMUNITY AUCTION SALES ACT, S.N.B. 1958, c. 7.*

This Act governs the carrying on of a community auction sale of livestock or poultry owned by two or more persons, but does not include the sponsoring or conducting of an auction sale by a livestock breeders association. The Community Auction Sales Advisory Board acts in an advisory capacity to the Minister of Agriculture and Rural Development. Regulations may be made by the Lieutenant Governor in Council dealing with the duties and powers of the board, licensing, terms and conditions under which a sale may operate, facilities, sanitation, records, reports and inspection.

#### *DAIRY INDUSTRY ACT, R.S.N.B. 1952, c. 54.*

The Lieutenant Governor in Council may make regulations concerning the licensing of operators of dairy plants; the licensing of milk and cream testers; the selecting, grading, weighing, sampling, testing and pasteurizing of milk and cream brought to dairy plants; the manner of payment and the establishment of a comparative scale of prices to be paid by dairy plants for different grades of milk or cream; the sanitation of dairy plants and water supply, machinery, appliances and conveyances used in the manufacture and storage of dairy products; the compulsory pasteurization of dairy products; the proper keeping of records; and similar matters. The site, plans and specifications of a proposed dairy plant must be approved by the Minister of Agriculture and Rural Development, a permit must be held by the person establishing dairy plant and, before issuing a permit, the Minister must be satisfied that the proposed plant is necessary and in the interests of the community and the dairy industry, and that a sufficient volume of milk or cream is available to the proposed plant. A Director of Dairy Service and inspectors are to be appointed to enforce the Act and they shall have access to all dairy plants and their records, and may take samples of products. Operators of dairy plants must deposit with the Minister such security for satisfying patrons' claims as the Minister may prescribe.

*DAIRY PRODUCTS ACT, R.S.N.B. 1952, c. 55.*

The New Brunswick Dairy Products Commission is established to administer this Act and to investigate and study the dairy industry and the dairy products trade. The Commission sets scales of prices to be paid for milk or cream sold for human consumption in any area designated by the Commission; supervises, controls and regulates the purchase, transportation, handling, conversion, preparation, storing, delivery, sale and distribution of milk and cream, as well as the care and collection of milk and cream containers; and approves and makes obligatory any agreement respecting the price of milk or cream entered into by any persons engaged in the dairy products trade. The Act specifies how price control areas are to be established by the Commission upon petition of at least two-thirds of the producer-suppliers, producer-distributors and milk dealers in the area or when the Commission considers it expedient to do so without being petitioned. Also where concluded in writing among at least two-thirds of the producer-suppliers, producer-distributors, milk dealers, milk vendors, storekeepers or canvassers in an area, the commission may approve agreements respecting ethical canvassing, servicing of customers, hours of delivery and other similar matters. Inspectors may be appointed to carry out the provisions of the Act. Persons supplying, processing or selling milk must be licensed and there is provision for the inspection of milk dealers' plants and examination of their accounts and records. Milk dealers must deposit guarantees in the office of the Minister of Agriculture and Rural Development for the payment of the sums that they may owe to producer-suppliers. When 75 per cent of the producer-suppliers in an area so desire, the Commission may require every producer-supplier to pay a licence fee to the Provincial Secretary not exceeding two cents per 100 pounds of whole milk or one-half cent per pound of butterfat: every milk dealer in the area would be required to deduct these fees from the amount paid to the producer-suppliers and to remit the amount to the Provincial Secretary. The moneys so collected are to be paid to the New Brunswick Milk Producers' Association for use in promoting the dairy industry.

*IMITATION DAIRY PRODUCTS ACT, S.N.B. 1953, c. 9.*

No person shall manufacture, sell, offer for sale, or have in his possession for sale any imitation dairy product; that is, any food substance, other than a dairy product of whatever origin, source or composition, which is an imitation of or represented to be for the same use as a dairy product and which is manufactured wholly or in part from any fat or oil other than that of milk. This does not apply to oleomargarine, coffee whiteners and dessert toppings. Inspectors may be appointed to enforce this Act.

*OLEOMAGARINE ACT, R.S.N.B. 1952, c. 164.*

Every keeper of a public eating place where oleomargarine is served must display the fact on the menu or on a conspicuous sign in each room where food is served. No oleomargarine may be manufactured or sold which has a tint containing more than one and six-tenths degrees and less than ten and

one-half degrees of yellow, or of yellow and red collectively. No persons shall sell, or offer for sale, oleomargarine attached to or within the package of which there is any yellow coloring material. The product must not contain more than 16 per cent water or less than 80 per cent fat. All packages must be legibly marked with the word "oleomargarine" or the trade name of the contents together with a list of the percentages of each ingredient, the latter classified as vegetable oil, animal fat, fish oil or marine oil. Manufacturers and wholesalers of oleomargarine must be licensed. There is also a prohibition against misleading or exaggerated claims for oleomargarine by word or design in advertising or labelling on the package, or confusing it with a dairy product, or suggesting that it is a substitute for a dairy product or bears a relationship to a dairy product.

## VI. AGRICULTURAL SOCIETIES AND EDUCATION

### *AGRICULTURAL ASSOCIATIONS ACT, R.S.N.B. 1952, c. 5.*

The supervision and control of agricultural fair associations, agricultural societies, district farmers' associations, the provincial farmers' association and specialized agricultural associations, such as those devoted to the improvement of a particular breed of livestock, are vested in the Minister of Agriculture and Rural Development. These associations may be incorporated and have power to borrow money. To date, only agricultural societies and agricultural fair associations have been incorporated under this Act. The Lieutenant Governor in Council may make regulations concerning the organization and objects of associations and providing for provincial grants to them under certain conditions.

### *AGRICULTURAL SCHOOLS ACT, R.S.N.B. 1952, c. 6.*

Schools shall be established in the province under the control of the Minister of Agriculture and Rural Development for instruction in the theory and practice of agriculture, horticulture, forestry, animal husbandry, butter and cheese making, domestic science, manual training, the construction and use of varieties of buildings, fences, drainage systems, machinery, implements and similar equipment, and in the elements of various sciences applicable to the above subjects. Provision is made for a full report of each school to be furnished annually by the Minister of Agriculture and Rural Development to the Legislative Assembly. The Lieutenant Governor in Council may enter into arrangements with the Government of Canada and the governments of the other Atlantic Provinces for the establishment in any of the provinces of an agricultural school, the cost of maintenance to be born proportionately by the parties to the agreement.

### *WOMEN'S INSTITUTE ACT, R.S.N.B. 1952, c. 253.*

Provision is made for a provincial organization to be known as the New Brunswick Women's Institutes and all Women's Institutes serving communities shall be branch institutes of that organization. There is to be a provincial Director of Home Economics Service who is to be superintendent of Women's Institutes, and also a Provincial Advisory Board to advise the Minister of Agriculture and Rural Development. The latter board is to have ten members, in addition to the Minister and Director, chosen at the Provincial Convention of the New Brunswick Women's Institutes. The Act describes how a Women's Institute may be incorporated and organized, and deals with membership, election of officers, conduct of meetings, prerequisites for provincial grants to institutes and the mode of payment, reports and similar matters. Women's Institutes are to be non-sectarian and non-partisan and their object is to be the improvement of conditions in rural and other communities.

## VII. CO-OPERATIVES AND CREDIT UNIONS

### *CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.B. 1952, c. 40.*

An association may be incorporated under this Act to operate a co-operative business to buy, sell, barter, pack, process, manufacture, preserve, can, grade, store, handle or deal in livestock produce, eggs, poultry, seeds, feeds, fertilizer and all kinds of farm products and all manner of merchandise or supplies necessary for producing, packing, processing, manufacturing, marketing or transporting such goods and merchandise. A co-operative association may also buy, sell, lease, erect, improve and operate stores, warehouses, wharves, canneries, plants, storehouses and other buildings to carry on the business of processors, manufacturers, storekeepers or warehousemen, and it may carry on a service of artificial insemination of livestock. The Act describes the method of incorporation and deals with such matters as the name of associations, membership and share book requirements, directors and officers, elections, by-laws, capital stock, borrowing powers, disposition of surplus, investment, audit, annual meeting and reports. Provision is made for the appointment of an inspector to supervise co-operative associations, and a registrar to keep a record of matters concerning associations. An association may operate a hospitalization or medical plan for its members and employees and their dependents under certain specified conditions.

### *CREDIT UNIONS ACT, S.N.B. 1963 (Second session), c. 2.*

*(This Act supersedes the Credit Unions Act, R.S.N.B. 1952, and amendments.)*

A credit union may be incorporated for the purpose of promoting thrift among its members; creating a source of credit for its members; receiving the savings of its members as payment on shares or as deposits; making loans to members and to other credit unions, as well to co-operative associations and other organizations which are members. A credit union may invest in any investment authorized by the Trustee Act, but may not invest more than 25 per cent of its capital in the paid-up shares of other credit unions. The names of all credit unions must include the words "Credit Union Limited" or "La Caisse Populaire Limitée".

The Act also deals with the appointment of a Registrar of Credit Unions; the method of incorporation of credit unions; the election of directors; the election or appointment of a president, vice-president, secretary and treasurer, or secretary-treasurer; the duties and powers of the directors; the formation and duties of credit and supervisory committees, as well as such matters as by-laws, membership, capital and shares, procedure for mergers, reserve fund, dividends, reports and audit suspension and surrender of charter.

Provision is made for loans to members of credit unions for provident and productive purposes subject to approved security, and the Registrar may also, in writing, authorize a credit union to make loans of up to \$1,000 without collateral. Before declaration or dividend, a credit union shall

set aside for educational purposes not less than five per cent nor more than ten per cent of its annual net earnings. A federation incorporated under the Credit Union Federations Act may require its member unions to deposit with the federation for educational purposes up to 50 per cent of the amounts thus set aside.

The Minister of Agriculture and Rural Development is charged with the general administration of the Act.

*CREDIT UNION FEDERATIONS ACT, R.S.N.B. 1952, c. 49.*

Any ten or more credit unions may be incorporated as a federation for their mutual protection and the furtherance of their common interests. The Act specifies the procedure for incorporation; the number of and election of representatives from credit unions in the federation; the limit of liability of member credit unions; the composition and election of directors and officers of the federation; the provision of cash reserves; audit procedure; and other similar matters.

At the end of the fiscal year before the payment of interest on money deposited with it, a federation shall set aside not less than ten per cent of the net earnings of its deposit and loan department as a separate reserve fund. This fund is to be used as a reserve against uncollectable loans made or losses incurred by the deposit and loan department.

Where a vacancy occurs in the elected representatives through death or ineligibility, the board of directors of the credit union may appoint a representative to fill the vacancy until the next annual meeting.

A federation may receive such moneys as may be deposited with it by member credit unions, and by such bona fide co-operative insurance associations or companies operating in the province as the Registrar of Credit Unions may approve. These moneys may, in turn, be loaned to credit unions, approved co-operative associations and any bona fide co-operative insurance society incorporated under federal laws, in such amounts as approved by the Registrar.

NEWFOUNDLAND

I. ADMINISTRATION

*DEPARTMENT OF MINES, AGRICULTURE AND RESOURCES ACT, S.N. 1961, c. 16.*

*"An Act Respecting the Department of Mines, Agriculture and Resources".*

*(This Act supersedes the Department of Mines and Resources Act,  
R.S.N. 1952 and Amendments).*

The duties, powers and functions of the Minister of Mines, Agriculture and Resources extend to and include, among other matters, agriculture (primary production, and the processing and marketing of primary products). He also has the control and management of the Crown Lands except those specifically under the control of any other minister, department or agency.

## II. LAND POLICY

### 1. Development, Conservation, Drainage and Irrigation

*ABANDONED LANDS ACT, R.S.N. 1952, c. 186.*

*"An Act to render certain abandoned lands available for agriculture".*

The Act outlines the legal procedures whereby land, granted or licensed to persons under the Crown Lands Acts, which has been unused and unoccupied for forty years may be ordered to revert to the Crown. This process has not been employed to any extent.

*CROWN LANDS ACT, R.S.N. 1952, c. 174.*

*"An Act Respecting Crown Lands, timber and water power".*

Part I of this Act deals with the lease of Crown Lands for agricultural purposes, specifying the amounts of land that may be leased and the terms and conditions of leases.

Such leases are for a term of five years: provided the leasee cultivates 25 per cent of the land in that time, he may receive, on application, a grant of the land subject to certain terms and conditions. Land may also be leased for raising livestock or cultivating wild fruit. The Minister may issue a grant, in fee simple to any person, of an area of Crown Land not exceeding 10 acres to any one person, subject to such terms and conditions and for such consideration as the Minister prescribes. Another part of this Act describes the leasing of water power.

The 1957 amendment deals with the protection of trees growing within 333 feet of the center line of a highway except for trees cut on private fenced land. The Governor in Council may make further regulations to control the cutting of trees of different species, and in different sections of the province. The amendment also provides for controls over the construction, alteration or replacement of dams and other activity affecting the natural flow of any stream, lake or waterway.

Under the 1964 amendment, the Minister may acquire for the Crown all or any part of the right to cut timber or any land located in Newfoundland.

The Act prohibits pasturing of animals on islands abandoned by inhabitants, where there still remains private property, church property, cemeteries or any other thing which could be damaged by animals.

*DEPARTMENT OF COMMUNITY AND SOCIAL DEVELOPMENT ACT, S.N. 1966, c. 42.*

*"An Act Respecting the Department of Community and Social Development".*

*(This Act supersedes the Agricultural Rehabilitation and Development Act, 1963).*

The Act, which establishes a Department of Community and Social Development, provides that the Minister of Community and Social Development, after giving reasonable notice to any owner or occupier of land (if the latter are known, available or easily contacted), may authorize any agent, engineer, servant, or workman employed by or under him to enter upon and survey such land and to make such borings or sink such trialpits and cut such trees as he deems necessary for any purposes relative to the work under his control.

If agreement cannot be reached between the Minister and a landowner as to any compensation that may be payable, the amount shall be ascertained in the same manner as that provided by law for assessing compensation where land is expropriated.

*LAND DEVELOPMENT ACT, R.S.N. 1952, c. 189.*

*"An Act respecting land development".*

This Act describes how tracts of land may be set aside to establish land development areas, either Crown Land or privately held land which may be purchased or expropriated. The Minister of Mines, Agriculture and Resources may then lay out a land development area and select settlers for it, and spend money for the transfer of settlers to the area, for the clearing and cultivation of land, the construction of shops, stores, saw-mills, dwelling houses and outhouses and for the purchase of implements, livestock, poultry, seeds and fertilizers. The Act specifies how a licence for occupation shall be issued to a settler for a probationary period; how a lease for five years may then be granted to him; and how, if he fulfills certain conditions respecting the cultivation of the land, the settler may then be given a grant of the land.

The Act has been used exclusively for the settlement of World War II veterans and to give titles to settlements established during the period from 1934 to 1939.

The Crown also has the right to purchase all land not being Crown Land in a land development area.

*THE UNIMPROVED LANDS (REDISTRIBUTION) ACT, S.N. 1957, c. 67".*

*"An Act to provide for the redistribution by the Crown of Certain unimproved lands".*

The Act applies to the lands granted by the Crown whether the lands are now held by the grantees named in the grants or have passed to any other person, partnership or association. Any land to which the Act applies may be expropriated for such uses as: the development of agriculture or forestry; the utilization, disposal or development of any product of the forest; the construction or extension of any city, town, village or settlement; the construction, extension, maintenance or repair of roads; or for the dedication to the public of the use of an existing road. Any person authorized by the Minister of Mines, Agriculture and Resources may enter upon any land in order to obtain a plan and description of the land. Owners of land expropriated will be compensated at the rate of 30 cents an acre. When land is expropriated under this Act, the title to all surface rights is to be vested in the Crown. Expropriated land is to be dealt with under the Crown Lands Act and the Crown Lands (Mines and Quarries) Act.

2. Settlement

*VETERANS' LAND SETTLEMENT ACT, R.S.N. 1952, c. 190.*

*"An Act to authorize the execution on behalf of Newfoundland of an agreement between the Government of Newfoundland and the Government of Canada for the Settlement of veterans on provincial lands and for other purposes".*

This Act authorizes the Minister of Mines, Agriculture and Resources to enter into an agreement with the Government of Canada for the settlement of veterans on provincial lands according to the terms of the Veterans' Land Act (Canada) and provides for reserving areas of the Crown Lands for this purpose.

3. Tenure and Assessment

*NEWFOUNDLAND AND LABRADOR POWER COMMISSION ACT, S.N. 1965, c.20.*

Subject to the prior approval of the Lieutenant Governor in Council, the Newfoundland and Labrador Power Commission may acquire by purchase, lease, expropriation or otherwise, any land, waters, water privileges, water powers, rights, easements, privileges, proprietary rights of any description and works that it deems useful for its purposes. The Commission, with Ministerial approval, may also erect and maintain poles, wire cables, structures and works along the sides of and over Crown Land, public roads, streets and bridges in the province. (For a summary of other part of this Act, see "IV. PRODUCTION, 1. General", page 33 ).

*THE QUIETING OF TITLES ACT, R.S.N. 1952, c. 157.*

*"An Act respecting the quieting of titles".*

This Act provides that any person claiming to be the owner of any land shall be entitled to have his title judicially investigated and declared, whether he has the legal estate or not and whether his title is or is not subject to any charge or encumbrance.

The Act also sets out the procedure to be followed in respect of application and evidence given to the Supreme Court, adverse claims, the awarding of certificates of title, and the effect of using fraud in obtaining a certificate.

*REGISTRATION OF DEEDS ACT, R.S.N. 1952, c. 141*

*"An Act respecting the registration of deeds and other documents".*

This Act provides for a registry for deeds and other documents for the province, and describes how the registration shall be made and its effect. It also deals with requirements for searches and includes a schedule of fees.

### III. FARM FINANCE

#### 1. Credit

*FARM DEVELOPMENT LOAN ACT, S.N. 1953, c. 29.*

*"An Act to create a Farm Loan Board and to provide loans for farm Development".*

The Farm Development Loan Board is established as a body corporate to administer the Farm Development Loan Fund. The Board may make loans or advances for the purpose of improving and developing the agricultural industry of Newfoundland but only under the terms and for the purposes prescribed by its regulations which are subject to approval by the Lieutenant Governor in Council. The Act lists the kinds of regulations which may be made.

#### IV. PRODUCTION

##### 1. General

*NEWFOUNDLAND AND LABRADOR POWER COMMISSION ACT, S.N. 1965, c. 20.*

*"An Act respecting the Newfoundland and Labrador Power Commission."*

*(This Act supersedes the Newfoundland Power Commission Act, S.N. 1954)*

The former Newfoundland Power Commission - a body corporate - is reconstituted, and renamed the Newfoundland and Labrador Power Commission. The new Commission has authority to establish, maintain and operate works in any part of the province for the development and generation of power, and to transmit and sell, anywhere in the province, all power so generated (For a summary of other part of this Act, see "II. LAND POLICY; 3. Tenure and Assessment", page 30.)

##### 2. Crops

*PLANT PROTECTION ACT, S.N. 1954, C. 15.*

*"An Act relating to the protection and to the prevention of the spread of insects, pests and diseases destructive to vegetation"*

The Minister of Mines, Agriculture and Resources, with the approval of the Lieutenant Governor in Council, may make regulations: 1) providing for the treatment and manner of treatment to be given to any plant, container or premises to eradicate, control or prevent the spread of disease; 2) prescribing who may give the treatment; 3) providing for the seizure, confiscation and destruction of plants and containers that are infested with disease; 4) providing for compensation, not to exceed two-thirds of the value of the plants or containers; 5) providing for the quarantine of any area to control disease; and 6) prescribing the terms and conditions for the production and sale of seed potatoes, and similar matters. The powers and duties of inspectors are prescribed. The importation and selling of diseased plants is prohibited. Nurseries must be registered and are subject to inspection to ascertain that they are free of disease.

##### 3. Livestock

*DOG ACT, R.S.N. 1952, c. 196.*

*"An Act respecting the keeping of dogs"*

Part I of this Act applies to a particular area described in the Act. It provides for government orders requiring the licensing of all dogs, requiring dogs to wear licence tags and prohibiting the keeping of dogs in certain parts of the area, with certain specified exceptions. Unlicensed dogs

may be destroyed by a constable or any other authorized person. A magistrate may order the penning of dogs during certain periods. Part II deals with the control of dogs in Labrador. Part III applies to the control of dogs in other parts of Newfoundland. Part IV applies to the whole of Newfoundland and provides for the destruction of dogs found killing, maiming or worrying persons, cattle or poultry, and for the collection of damages from the owners of the dogs. Part V deals with the powers of the Lieutenant Governor in Council to prohibit the keeping of dogs in any part of the province except within the City of St. John's.

*LIVESTOCK ACT, R.S.N. 1952, c. 194; amendments: 1960, c. 26.*

*"An Act Respecting Livestock".*

This Act deals with a number of matters respecting livestock, including the running of livestock at large upon unenclosed lands, driving cattle without the owner's consent, the impounding of injured animals, the prohibition and impounding of animals running at large and liability for damage caused by such animals, a description of lawful fences, the erection of ground gates, the licensing of dealers in livestock, the duty of persons where livestock are killed or injured by a railway train or on the highway, and the prohibition against permitting mischievous animals to run at large.

*THE LIVESTOCK HEALTH ACT, S.N. 1964, c. 79.*

*"An Act respecting the prevention of diseases in livestock".*

*(This Act supersedes the Prevention of Animal Disease Act, R.S.N. 1952, and Amendments)*

The Minister of Mines, Agriculture and Resources may make regulations prescribing measures to be taken and observed to establish a healthy and vigorous stock of animals, and to protect them from the introduction or spread of contagious or infectious animal diseases. The Minister may prescribe precautions to be taken to isolate landed livestock; precautions for the landing of meats, raw hides, and other parts of dead livestock; the furnishing by importers and dealers of actual or proposed landings of livestock and of conditions as to animal diseases in places where such animals may be imported; rules for the slaughter of animals found to be dangerously infected, and for compensation of the owners thereof; and procedures for combatting, controlling and eradicating any disease of livestock, and for control of the storage, sales and use of livestock vaccines and drugs.

The Minister may appoint veterinary surgeons, inspectors and other officers for the purpose of carrying out this Act. The Act also provides for any part or parts of the province to be designated Livestock Health Areas, and for the implementation of any arrangement made between the provincial and federal Ministers of Agriculture for co-operating in the control and eradication of livestock diseases.

*NUISANCES AND MUNICIPAL REGULATIONS ACT, R.S.N. 1952, c. 72.*

*"An Act respecting nuisances and municipal regulation"*

Sections 21 to 24 of this Act provide that the owners of stallions, bulls, rams or he-goats which are at large are liable for any damage they may cause; set forth the ages at which animals, not intended for breeding purposes and not kept strictly on the owner's premises, must be castrated; and required owners of stock being reared for breeding purposes to supply a description of each animal to the nearest Agricultural Society or Justice of the Peace. Sections 27 to 32 deal with the impounding of stray animals, setting forth how animals are to be impounded, the duties and powers of impounders and the schedule of fees for impounders.

*PROTECTION OF ANIMALS ACT, R.S.N. 1952, c. 137.*

*"An Act respecting the protection of animals"*

This Act prohibits certain acts of cruelty to animals and provides penalties for infractions. It provides that a Justice of the Peace may order the destruction of any animal injured by cruelty. It also provides for compensation for damage or injury caused by cruelty; sets forth the power of a constable to cause the destruction or removal of a diseased or injured animal; makes certain provisions regarding the slaughtering of animals; places restrictions on the right to kill animals found at large; gives the chief agent of the Society for the Protection of Animals the powers of a police constable; and deals with the procedure to be followed when an animal is injured by a train, automobile or motorcycle.

V. MARKETING

1. General

*FOOD AND DRUGS ACT, R.S.N. 1952, c. 56.*

*"An Act respecting food and drugs"*

The Minister of Health may make regulations: prescribing the manner in which food intended for human consumption shall be prepared, packaged, stored, transported, sold, advertised or exposed for sale and delivered; prescribing the manner in which packages shall be marked in order to disclose the nature or method of preparation of their contents; prohibiting, restricting or prescribing the addition of any substance to any food and prescribing standards of quality or composition for food; requiring every owner or manager of places where food is sold for consumption on the premises to make returns of the names, addresses and description of persons employed on the premises; and appointing analysts. Penalties are provided for selling unsound food, and inspectors are empowered to examine and seize unsound food. They may also examine food in transit. The Minister may also require the licensing of premises and prescribe standards of lighting, ventilation and sanitary arrangements in the following trades: preparation and sale of foods for consumption on the premises; the preparation and sale of cooked foods other than the sale of tinned, canned and bottled food; manufacture and sale of bottled beverages; cold storage; slaughtering of animals; sale of meat; manufacture and sale of sausages; production or preparation for sale of milk, butter or cream, sale of milk or cream; manufacture and sale of butter substitutes, ice cream, confectionery, desserts, frozen foods, reconstituted foods and the component parts of each of them, jams, jellies and preserves; and the preparation and packing for sale of food in tins, jars or bottles or otherwise hermetically sealed. Within a licensing area, no animal shall be slaughtered for food except in an approved building. Medical inspection of persons employed where food is prepared or sold may be required. The sale of certain meats is prohibited and there are provisions prescribing protection for food exposed for sale or being transported, and provisions dealing with the handling of cold storage goods. Regulations made under Section 3 of this Act prescribe certain minimum and maximum vitamin and mineral standards for white wheat flour sold, held for sale, offered or exposed for sale in the province. The required calcium level is to be attained by the addition of edible bone meal. The regulations do not apply to whole wheat flour, graham flour, farina, special cake flour, cake mixes and pancake flour.

*HEALTH AND PUBLIC WELFARE ACT, R.S.N. 1952, c. 51.*

*"An Act respecting health and public welfare"*

Under Section 13 of this Act and Section 12 of the Communicable Diseases Act (S.N. 1965, c. 34), the Minister of Health may make rules and regulations concerning, among other matters, the testing of cattle for tuberculosis, and may also prohibit the use or sale of milk from cows suffering from a communicable disease, and the use, sale or exposing for sale of the flesh of animals affected by any disease which, in the opinion of the Deputy Minister of Health, renders the flesh of such animals unfit for human consumption.

No person with any communicable disease may milk cows. Suppliers of milk cream and butter, and dealers, sellers and deliverers of these and other uncooked foods are also required to report any cases of communicable disease in themselves, their families or their employees. A health inspector may prohibit the handling, sale or distribution of such foods. He may have free access to any building, premises, wagon or store containing any milk, cream or butter, and may take samples therefrom. An inspector also has the right of entry to, and power to direct any structural alteration of, any premises in the interest of public health.

2. Crops

*VEGETABLE (GRADING) ACT, R.S.N. 1952, c. 191.*

*"An Act respecting the grading of certain products of agriculture in Newfoundland"*

The Lieutenant Governor in Council may make regulations classifying and establishing grades for each kind of products (potatoes, turnips, beet, carrots, parsnips, and such other products of agriculture as the Lieutenant Governor may designate); with respect to packages or containers or the inspection, grading, packing, marking, shipment, advertisement, purchase and sale of products within the province; with respect to the registration and licensing of packers and persons assembling products, and with respect to the cleanliness and sanitation of premises in which products are graded, packed or assembled. The Act provides for the appointment of inspectors and prescribes their powers and duties.

3. Livestock

*BRITISH NORTH AMERICA ACT, 1949, c. 22. (Act of the Parliament of the United Kingdom)*

Section 46 of the Terms of Union between Canada and Newfoundland confirmed and legalized by Section 1 of the British North America Act, 1949, provides that oleomargarine or margarine may be manufactured or sold in the province of Newfoundland after the Union, and that the Parliament of Canada shall not

prohibit or restrict its manufacture or sale except at the request of the Province of Newfoundland. However, the Parliament of Canada shall retain power to require compliance with standards of quality applicable throughout Canada. Unless the Parliament of Canada otherwise provides, oleomargarine or margarine may not be shipped or carried from Newfoundland into any other province of Canada.

*POULTRY AND POULTRY PRODUCTS ACT, R.S.N. 1952, c. 192.*

*"An Act relating to poultry and poultry products"*

This Act provides for the appointment of a Commissioner and other officials to investigate and report on the marketing of any poultry (domestic fowl, guinea fowl and pigeons) or poultry product (live poultry, dressed poultry, eviscerated poultry and eggs) whether produced in Newfoundland or imported into the province. A permit is required to operate a hatchery and every hatcheryman is required to submit for approval, prior to publication, all catalogues, circulars, advertisements, etc. which he proposes to issue. An inspector may enter any hatchery, premises or vehicle to inspect poultry and poultry products, may require the production for inspection of books and records, may take samples and delay shipments, may seize and detain poultry or poultry products which have been produced, packed, branded, labelled or shipped in violation of this Act; and take other similar action. The Lieutenant Governor in Council may make regulations prescribing standards of quality and grades; respecting inspection, grading, packing, labelling, branding, and marking; prescribing types, size and specifications of packages, packing material and methods of packing; respecting shipping and transporting; prescribing the manner in which the seller or shipper shall identify lots of individual producers for grading purposes; providing for the issue and cancellation of licences; prescribing measures respecting sanitation; permitting registration under any Dominion Poultry Improvement Program by any person operating a hatchery; prescribing a program to be known as the Poultry Improvement Program for the improvement of poultry stock and the eradication of disease therein; and concerning a number of similar matters.

VI. AGRICULTURAL SOCIETIES AND EDUCATION

*AGRICULTURAL SOCIETIES ACT, R.S.N. 1952, c. 173.*

*"An Act respecting agricultural societies"*

Any nine or more persons may obtain registration as an agricultural society and it will then be deemed to be a corporation. Provision is also made for the registration of groups of two or more agricultural societies or co-operative societies. The Minister of Mines, Agriculture and Resources may make regulations prescribing the terms and conditions upon which societies may be formed, minimum membership fees, and rules for the conduct of the business of societies and the furnishing of reports. The power and duty of a society is to encourage the development of agriculture or stock-raising or poultry-keeping in its locality by the introduction of breeding stock, by making loans or advances of money, implements, seeds or stock and by carrying on agricultural education and propaganda.

## VII. CO-OPERATIVES AND CREDIT UNIONS

*CO-OPERATIVE DEVELOPMENT LOAN ACT, R.S.N. 1952, c. 247.*

*"An Act to provide for loans to co-operative societies and to create a Co-operative Development Loan Board for Newfoundland"*

The Co-operative Development Loan Board of Newfoundland is established as a body corporate to administer the Co-operative Development Loan Fund for the purpose of encouraging societies to develop and improve the industries, commerce and services of the province, particularly by making loans to societies for assisting in the construction of plants and the purchase of plant equipment and for other suitable purposes. The Board may also guarantee loans and may enter into agreements with the Government of Canada or any public or private organization. The Board may set the terms and conditions of loans and the purposes for which they may be made.

*CO-OPERATIVE SOCIETIES ACT, R.S.N. 1952, c. 172,*

*"An Act respecting co-operative societies"*

This Act provides for the registration of co-operative societies, sets forth the method and conditions of registration, membership, the rights and liabilities of members and the duties of registered societies. It deals with the audit and annual return of societies, inspection of books, the privileges of societies, the property and funds of societies, the amalgamation of societies, the appointment of an administrator if required by the Registrar of Co-operative Societies, the transfer and withdrawal of shares, the bonding of officers in charge of money, inspection of the affairs of societies by the Registrar, and the winding-up of societies.

NOVA SCOTIA

I. ADMINISTRATION

*AGRICULTURE AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part I of this Act authorizes the Department of Agriculture and Marketing under the Minister of Agriculture and Marketing. The Department shall be administered under and in accordance with this Act and the other statutes of the province relating to agriculture and marketing. (s. 2)

The Minister, with approval of the Governor in Council may make rules and regulations for the purpose of carrying out the provisions of this Act. (s.4)

*PUBLIC SERVICE ACT, R.S.N.S. 1967, c. 255.*

This Act authorizes the establishment of various departments for the administration of the public affairs in the province. (s. 1)

The Department of Agriculture and Marketing shall be presided over by the Minister of Agriculture and Marketing and shall be administered under and in accordance with the Agriculture and Marketing Act and other statutes of the province relating to agriculture, marketing and kindred subjects. (s. 23)

The Minister of Agriculture and Marketing shall have the supervision, direction and control of all matters relating to agriculture and land settlement, and the collection and dissemination of all facts and statistics relating to agriculture, and shall have other powers and discharge such other duties as are conferred and imposed upon him by any Act of the Legislature or as may be assigned to him by the Governor in Council. (s. 24)

## II. LAND POLICY

### 1. Development, Conservation, Drainage and Irrigation

#### *AGRICULTURE AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part XX is entitled "Land Conservation and Use"

With the approval of the Governor in Council, the Minister may enter into and carry out an agreement with the Government of Canada or a Minister or agency thereof for the execution (in collaboration with that Government, Minister or agency) of a work or a program of work for the protection, reclamation, conservation and improvement of land and for the more effective and economical utilization of land, or for any of those purposes. (s. 197)

For the purpose of carrying out an agreement entered into under this Part, the Minister may acquire and use real and personal property; construct drains, roads, break-waters, dams, ditches, canals, excavations and other works and things for the reclamation, protection, and improvement of land; make regulations respecting the use or protection of, and the more effective utilization of land reclaimed, protected or improved by work performed pursuant to an agreement; and, prescribe penalties for the violation of these regulations. (s. 200)

#### *DITCHES AND WATER COURSES ACT, R.S.N.S. 1967, c. 78.*

This Act shall apply to municipalities and incorporated towns, and shall apply to deepening or widening any ditch or drain already existing, as well as to making a new ditch or drain. (s. 1)

Every council shall name and appoint an engineer to carry out the provisions of this Act. (s. 3)

The Act provides that the owners of adjoining lands are to construct, improve and maintain ditches and drains in proportion to their interests in them unless the municipal engineer otherwise directs. Proper outlets must be provided for all ditches. Where an owner does not keep his section of a ditch in reasonable repair and a complaint is made to the municipal council, the engineer will examine the ditch and report to the council. If the engineer or inspector certifies that the complaint is well founded, the council may order the work done. The provisions of this Act as to the inspection and the payment of engineer's fee or inspector's fee and cost of work shall apply. (s. 4)

The Act also deals with the settlement of disputes regarding ditches, the duties of the engineer in making awards and assessing for costs, and the procedure for making appeals against the engineer's decision.

*LAND AND FORESTS ACT, R.S.N.S. 1967, c. 163.*

The Minister of Lands and Forests shall have under his supervision, direction and control, the management, lease, sale or other disposition of the Crown Lands; the conservation and protection of all forests and timberlands, whether the same are Crown Lands or are privately owned; and the protection, preservation and propagation of game and game fish. (s. 3)

Part I of the Act deals with "Crown Lands".

The Governor in Council, on the recommendation of the Minister, may reserve and set apart such of the Crown Lands as he deems expedient for the maintenance and preservation of the forests, for the planting and cultivation of trees, for the protection and regulation of the flow of water within the lands and for the development of water power, and for the protection and preservation of game. (s. 13)

Subject to this Act, any person may, by petition addressed to the Minister, apply for a grant of any Crown Lands. The petition may be approved by the Minister provided that, after inquiry, the Minister is satisfied that: (1) the land applied for is suitable for settlement and for agricultural or grazing purposes; (2) the petitioner desires the land for his own benefit and for the purpose of actual settlement and for agricultural or grazing purposes; and (3) the land applied for does not exceed 150 acres. The price of such land shall be one dollar per acre, in addition to the expenses of the survey of the land so applied for, but no grant shall issue for a sum less than \$25 in addition to the expenses of the survey. (s. 21)

The Governor in Council, on the recommendation of the Minister, may give a lease of Crown Lands on terms to be prescribed, if the land proposed to be leased is of inferior quality and the person proposing to lease undertake to expend money in draining, dyking or developing the land. (s. 31)

Crown lands may also be used for various other purposes such as grazing, cultivating and harvesting blueberries, etc. (s. 36)

Part III is entitled "Game": Moose, Caribou and Bear".

Except as otherwise provided in the Agriculture and Marketing Act, no person shall keep fur-bearing animals whether bred in captivity or not, for the purpose of preserving and breeding from such animals without first obtaining a permit from the Minister. All fur-bearing animals kept in captivity under the provisions of this Act and the places in which they are kept shall be at all times open to inspection of any warden or other officer acting under the authority of the Minister. Any permit issued may be cancelled at any time by order of the Minister if good cause is shown. (s. 136)

*MARSHLAND RECLAMATION ACT, R.S.N.S. 1967, c. 177.*

Subject to the approval of the Governor in Council, the Minister may construct, reconstruct, operate and maintain any works for the protection, drainage and improvement of marshlands and, for such purposes, may enter into an agreement with the Government of Canada, the government of any other province, or with any department, body or person. The Minister may purchase or rent real and personal property, including buildings, machinery and equipment; engage all necessary employees, consultants, contractors and other persons; and take, or authorize any person to take, any action which may be necessary for carrying out the purposes of this Act. (s. 2)

The Governor in Council may appoint a Marshland Reclamation Commission consisting of such persons as the Governor in Council, from time to time, determines. (s. 5)

The Commission shall advise the Minister on matters related to reclamation and protection of marshland and its development and maintenance for agricultural purposes and shall study and examine proposals for construction, reconstruction, repair, maintenance, conduct or operation of works and shall make recommendations thereupon to the Minister. (s. 8)

The owner or occupants of marshland in any section of the province may from time to time direct a petition to the Provincial Secretary asking that the owners of marshland within the section be incorporated as a "marsh body". (s. 11)

The Act prescribes the form of organization and the powers of a marsh body, the manner of assessment and rating of the owners, the borrowing power of a body, and its powers of entry and expropriation.

*WATER ACT, R.S.N.S. 1967, c. 335.*

The Governor in Council may make regulations providing the procedure to be followed on applications under this Act for authorization to use a water course or water therein, and for the more effective use of this Act and the carrying out of its purposes. (s. 6)

The Minister may direct or order that examinations and surveys be made of the use or future use of water courses for the purposes of public water supply, fishing, agriculture, power development, recreation, domestic use, industrial use and any other purpose or use. (s. 7)

The Governor in Council may appoint a Nova Scotia Water Resource's Commission consisting of not fewer than three nor more than five members and may designate one member to be Chairman and another to be Vice-President. (s. 9)

The Governor in Council may appoint an Advisory Board to the Commission consisting of not fewer than ten nor more than fifteen members. Local Advisory Boards for specified areas may also be appointed. (s. 10)

Subject to this Act, the Minister shall have the control of the use of all surface, ground and shore waters; the allocation of the use of water; pollution originating within the jurisdiction of the province and alteration of the natural features of any water course or lake and the natural movement of water therein. (s. 12)

In this Act, provision is made for the establishment of water and sewage works by municipalities and others; for agreements respecting water and sewage works between the provincial government and other parties; and for the control of pollution.

*WELL DRILLING ACT, R.S.N.S. 1967, c. 337.*

No person who is not the holder of a licence, shall for gain or reward contract to drill a well for another person or carry on the business of well drilling or hold himself out as a well driller. (s. 2)

Subject to the regulation, the Minister, or a person authorized by him for the purpose, may, upon payment of a prescribed fee, issue a licence to a person authorizing him to carry out the business of well drilling. (s. 3)

The Minister, for any reason that appears to him to be proper, may refuse to issue a licence to any person or may suspend or cancel any licences. The person may appeal to the Governor in Council who may confirm the decision of the Minister or may direct that a licence be issued or reinstated. (s. 4)

Unless previously suspended or cancelled, a licence expires on December 31, following the date of issue. (s. 5)

Every licensee shall, within one month after he completes the drilling of a well, make a report to the Minister in the form prescribed by the regulations; and shall permit an inspector, at any reasonable time, to examine and inspect his records and equipment and any well drilling operation carried on by him; and shall keep such records as are prescribed by the regulations. (s. 6)

The Governor in Council may appoint a Well Drilling Advisory Board of such number of persons as he considers advisable to assist and advise the Minister on the administration of this Act and to perform such other functions as are prescribed by the regulations. (s. 7)

The Governor in Council may make regulations prescribing the forms of application for licences; prescribing fees for licences; prescribing the form and content of records to be kept and reports to be made by licencees; and, subject to the Public Health Act, regulating and controlling the location, spacing, drilling, construction, testing, altering, repairing, sealing and capping of wells, and the materials, methods and equipment used. (s. 9)

Penalties are provided for those who violate any provisions of this Act or the regulations. (s. 10)

## 2. Tenure and Assessment

### *ANGLING ACT, R.S.N.S. 1967, c. 9.*

Any resident of the province shall have the right to go on foot along the banks of any river, stream or lake, upon and across any uncultivated lands and Crown Lands for the purpose of lawfully fishing with rod and line in such rivers, streams or lakes. Any resident may go on, upon or across any river, stream or lake in a boat or canoe or otherwise for the purpose of lawfully fishing with rod and line in such rivers, streams and lakes. (s. 2)

The rights conferred shall not in any way limit or restrict the right of an owner or occupant to compensation for actual damages caused by any person going upon or across such lands. (s. 3)

This right shall not apply to the land of an occupant licensed for fishing rights by the municipal council.

### *ASSESSMENT ACT, R.S.N.S. 1967, c. 14.*

Subject to the exemption in Section 3, all real and personal property is liable to taxation for all purposes for which municipal or town taxes are levied by authority of law. (s. 2)

The following property is exempt from taxation under this Act; the property of an agricultural society organized under Section 7 of the Agriculture and Marketing Act; the livestock, implements and machinery belonging to a farmer and used in working his farm; and the unprocessed produce of the farm being property of the person who raised or produced the same. (s. 3)

### *COMMON FIELDS ACT, R.S.N.S. 1967, c. 40.*

Every proprietor of lands lying unfenced or in a common field shall once in two years, on six days notice given to him or his agent by an adjoining proprietor, run the lines and make up and keep the boundaries of such lands by stones or other sufficient marks; any person neglecting to do so shall be liable to a penalty of four dollars. (s. 1)

Every proprietor of any field adjoining a common field which is enclosed and improved, when his part of the fence dividing his land from such common field becomes defective, shall immediately make the same a legal fence, and if he neglects to do so after three days notice given him by the field keeper or any proprietor, any fence viewer, on application, may forthwith cause the fence to be repaired: the person who should have repaired the fence shall pay double the expense of such repairs to the fence viewer. (s. 2)

If any proprietor in a common field desires to have his part thereof separately fenced, he shall, unless otherwise agreed to by two-thirds in interest of the proprietor, bear the whole expense of fencing the same and shall keep the fence in repair at his own expense. (s. 3)

The proprietors of common fields shall meet annually at some convenient place. A majority in interest of the proprietors present at the annual meeting may make regulations as from time to time appear expedient respecting the managing, fencing and improving of such common fields. The regulations shall be entered into a book to be kept for that purpose and shall be signed by the chairman of the meeting. The production of the book and proof of the entry made therein shall be sufficient evidence of the regulation. (ss. 4-6)

Every brand or mark adopted by the proprietors of any common field, by their regulation, for marking animals to be turned into such field, shall, before being used, be entered in the book of regulations. (s. 14)

*EXPROPRIATION ACT, R.S.N.S. 1967, c. 96.*

The Minister for and in the name of Her Majesty, may purchase or acquire, and, without the consent of the owner thereof, enter upon, take and expropriate any land which he may deem necessary for any purpose relative to the use, construction, maintenance or repair of public works or for obtaining better access thereto. The Minister may, without the consent of the owner, enter upon, take and expropriate, any land which he may deem necessary for the purpose of encouraging farm settlement within the province; for the purpose of encouraging the development of any industry, promoting better housing, ... or for any other public purpose of Nova Scotia. (s. 3)

The Minister and the owner may agree upon the amount of compensation, or either party may give notice in writing to the other that he requires the amount of such compensation to be determined by arbitration under the provisions of this Act. (s. 16)

The Minister may appoint a person, not in the Public Service of the province, to determine the amount to be paid. If the Minister or the owner is dissatisfied with the said determination, either of them may proceed to have the amount of compensation determined by a judge as if no such appointment and détermination has been made. (s. 17)

The Act lays down the procedure to be followed in expropriation, compensation and awards.

*LAND ACTION VENUE ACT, R.S.N.S. 1967, c. 160.*

All action for trespass to lands or in which possession or recovery of lands is sought, and all actions in which the title to land is in issue shall, unless the court or a judge otherwise orders, be tried in the county in which the lands lie. If the lands lie in more than one county, then the action shall be tried in any of the counties in which any part of the lands lie. (s. 1)

*LAND TAX ACT, R.S.N.S. 1967, c. 161.*

In each year, every person who, on the first day of January, is an occupant of more than one thousand acres of land within the province shall, as in this Act provided, pay to Her Majesty for the use of the province a tax of one per cent of the value of such land. Every such person shall be exempt from taxation in respect of one thousand acres and the amount of exemption shall be determined on the basis of the average value of all his lands within the province and a "pro rata" deduction made. Except as provided in this Act, the value of lands for the purpose of taxation under this Act shall be \$2 per acre. (s. 2)

The method for submission of returns and notices, the valuation of land, the method of assessment, the hearing of appeals from the decision of the assessors, the method of collecting the tax, the treatment of overdue taxes, including forfeiture of lands for tax arrears, and the imposition of additional taxes and penalties are provided in this Act.

*LAND TITLE CLARIFICATION ACT, R.S.N.S. 1967, c. 162.*

Where the residents of an area of a municipality are in necessitous circumstances as a result of lack of property development in the area and where there appears to be confusion as to the ownership of land, the Governor in Council may designate the area as a Land Titles Clarification Area. (s. 2)

A person who resides in the province and claims to own land in a Land Title Clarification Area may apply to the Minister for a Certificate of Claim in respect of the lot which he claims to own. (s. 3)

When it appears from the application that the applicant is entitled to the lot, the Minister may issue a Certificate of Claim to the applicant. (s. 4)

The appointment and powers of a Commissioner to examine claims, and the investigation of claims for any payment of compensation are also provided for in the Act.

*OVERHOLDING TENANTS ACT, R.S.N.S. 1967, c. 219.*

If a tenant, after his tenancy or right or occupation has expired or been determined, does not go out of possession of the land held by him, the landlord or his agent may, without any demand on the tenant, file a complaint under oath with a magistrate having jurisdiction in the place where the land is situated. The magistrate may issue a summons directed to the tenant stating the time and place at which complaint will be heard and determined. (s. 2)

The landlord may include in his complaint a claim for any arrears of rent and for the value of the tenant's use and occupation. The tenant may file a defence, counter claim or set off to the claim, or may oppose the same at the hearing without filing a defence. The magistrate, after hearing evidence of the claim, may give judgment, for any amount not exceeding \$500, that he considers proper in the circumstances, including costs to the successful party which shall not, in any case, exceed \$15, disbursement included. (s. 8)

The Act also deals with appeals against the decision of the courts.

*PUBLIC HIGHWAY ACT, R.S.N.S. 1967, c. 248.*

This Act applies to all highways within the province not included within the boundaries of a city or town, and does not, except where expressly provided, apply to highways within the boundaries of cities or towns. (s. 2)

The Governor in Council may designate as a controlled access highway any highway or part thereof in a municipality or any highway or part thereof in a city or town, towards the construction or maintenance of which the province has contributed or contributes. (s. 20)

Where a highway or portion thereof of any land has been designated as a controlled access highway, no person shall, without a written permit from the Minister, construct, use or allow the use of any private road, entrance-way or gate which or part of which is connected with or open upon the controlled access highway. No person shall sell, or offer, or expose for sale any vegetable, fruit, meat, fish or other product, or any goods, wares or merchandise upon or within 150 feet of the limit of the controlled access highway; or erect, construct or place or cause to be erected, constructed or placed any building or other structure, or part thereof, or extension or addition thereto upon or within 200 feet of the limit of the controlled access highway. (s. 21)

All physically fit male persons between the ages of sixteen and sixty residing within every such section or division of a municipality are required to work with their shovels on the highways during the winter whenever the highways become impassable from snow, but persons actually in regular attendance at any public school are not, during school hours, required to work under this Section. The overseer of each road section may order the person required to work to attend to the work forthwith or at any time or

hour of the day that the overseer designates. A person ordered to work may provide a competent person to work in his place or pay a tax of \$5 per day for the use of the municipality for snow removal. (s. 33)

Notwithstanding the other provision of this Act, upon petition of a majority of persons in a road section, the expense of snow removal may be levied by the municipal council as a charge upon the ratepayers of the area. (s. 35)

The Minister, or any person acting by or under his authority, may enter into and upon the land of any person which adjoins the highway and erect and maintain snow fences upon such land or take down, alter or remove any fence or other obstruction of any kind that causes drifts or an accumulation of snow so as to impede or obstruct traffic. (s. 38)

Subject to Section 21 of this Act, unless the consent in writing of the Minister has been first obtained, no person shall erect, construct or place or cause to be erected, constructed or placed any building or other structure, or part thereof, or extension or addition thereto upon any highway or within 300 feet from the centre line of the travelled portion of the highway. (s. 41)

No person shall deposit any sewage, refuse, garbage, rubbish or other matter on any highway or in any drain, gutter, sluice or water course on any highway. (s. 42)

The minister, or any person acting on his instruction, may at any time and from time to time construct, open, maintain or repair any drain, gutter, sluice or water course upon any land adjoining a highway and for such purposes may at any time and from time to time enter into or upon such land. (s. 43)

The Minister is also empowered to prohibit or regulate the erecting or maintaining of advertisements close to highways.

*QUIETING TITLES ACT, R.S.N.S. 1967, c. 259.*

Any person who claims a property right in land may commence an action in the Supreme Court or in the County Court or the District in which the land lies for a certificate of title under this Act. This may be the sole claim in the action or may be joined with a claim in trespass to land, in ejectment, for the recovery of land, for mesne profits, for partition, for foreclosure of a mortgage, equity of redemption or agreement of sale, for specific performance of an agreement to convey land or with any other claim in which the title to or right to possession of land is in issue or any combination of such claims. (s. 2)

The Act describes the procedure and the course to be followed if the judge is not satisfied with the statement of claim and supporting materials, and the granting, issue, registration and effect of a certificate of title.

*REGISTRY ACT, R.S.N.S. 1967, c. 265.*

Registration districts are established with a registrar of deeds in each. The Act describes the duties and entitlements of registrars, how registrations of instrument are to be made, the effects of registration, the discharge of registered instruments and other similar matters.

*TENANCIES AND DISTRESS FOR RENT ACT, R.S.N.S. 1967, c. 302.*

This Act is concerned with the procedure to be followed in seizing goods for non-payment of rent and the type of goods that may or may not be seized.

Sheaves or cocks of grain, grain loose or in the straw, hay in a barn or upon a hoval, stack, or rick or upon the land charged with such rent, may be locked up or detained upon the premises by a landlord having rent in arrears and due, for or in the nature of a distress, until the same are replevied or sold, as in the case of other goods, but they shall not be removed from the premises by the landlord, to the damage of the owner, before such sale. (s. 4)

All sorts of corn, grain, grass, hops, roots, fruits, pulses, or other product growing on any part of the premises demised, may be seized as a distress for rent in arrears and due, and the landlord may cut, gather, cure, carry and lay up the same when ripe, in barns and other places, on such premises or on other premises nearby. (s. 5)

Any cattle or stock of the tenant feeding upon any common belonging to any part of the premises demised, may be seized as a distress for rent in arrears and due. (s. 6)

The following articles shall be exempt from distress for rent; the necessary wearing apparel, beds, bedding and bedsteads of the debtor and his family; one stove and pipe therefor, ... one pair of tongs, six knives, six forks, six plates, six tea cups, six saucers, one shovel, one table, six chairs, one milk jug, one teapot, six spoons .. one sewing machine ... and such fishing nets as are in common use; all necessary fuel, meat, fish, flour and vegetables, actually provided for family use, sufficient for the ordinary consumption of the debtor and his family for 30 days and not exceeding \$40 in value; one cow, two sheep and one hog and food therefor for thirty days; tools, and implements of, or chattels ordinarily used, the debtor's occupation, to the value of \$30; and all articles or goods in the possession of the tenant and held by the tenant under a duly filed agreement for hire, lease , contract or conditional sale. (s. 7)

### III. FARM FINANCE

#### 1. Credit

##### *AGRICULTURE AND RURAL CREDIT ACT, R.S.N.S. 1967, c. 4.*

There shall be a corporation to be called the Nova Scotia Farm Loan Board, consisting of not more than five members, each of whom shall be appointed by the Governor in Council for a term not exceeding five years. (s. 2)

The Board is declared to be the successor of the Nova Scotia Land Settlement Board and all property, rights, obligations and liabilities of the Nova Scotia Land Settlement Board shall be the responsibility of the Nova Scotia Farm Loan Board. (s. 5)

The purpose, duties and powers of the Board are to make loans to, or guarantee loans of a borrower for the purpose of acquiring or improving any farm, plant, machinery or equipment; to acquire, hold or dispose of farms or buildings; to acquire, hold, subdivide and dispose of agricultural lands; to acquire, hold and dispose of livestock, agricultural machinery and equipment; to erect buildings, make permanent improvements and carry on farming operations on farms or other lands owned by the Board; to collaborate with personnel of the Department of Agriculture and Marketing regarding the extension of credit to further agricultural production; to approve or reject applications for the purchase of farms, stock, agricultural machinery or equipment, upon such terms as the Board may determine; and such other purposes, duties and powers as the Minister may, from time to time, approve or determine. (s. 6)

The Board may, subject to the approval of the Governor in Council, make regulations prescribing the terms and conditions upon which loans may be made; prescribing the limits of loans; fixing the rates of interest to be charged; providing the commuting of any payments due to the Board; prescribing the manner and condition upon which the borrowers may transfer their rights; prescribing forms of mortgages, agreements and other documents; requiring borrowers to maintain insurance; and, prescribing the forms and conditions under which borrowers shall present a financial statement with respect to their farm operations. (s. 7)

With the approval of the Governor in Council, the Minister of Finance and Economics may advance to the Board such sums of moneys as are considered necessary to carry out the provisions of this Act. (s. 8)

## 2. Income Assistance

### *CROP INSURANCE ACT, R.S.N.S. 1968, c. 6.*

The Nova Scotia Crop Insurance Commission carries out and administers this Act under the direction, supervision and control of the Minister. (s. 2)

The Commission has the power to administer plans of crop insurance established by regulations; to conduct surveys and research programs relating to crop insurance, and to obtain statistics for the purposes of the Commission; to evaluate losses and pay claims under plans of crop insurance; to enter into agreement with or retain persons for soliciting or receiving applications for insurance, or for collecting premiums and adjusting claims on behalf of the Commission; and to perform such other functions and discharge such other duties as are assigned to it from the Governor in Council. (s. 4)

Subject to the approval of the Governor in Council, the Commission may make regulations establishing, amending and revoking voluntary plans within the province for the insurance of insurable crops, and governing the terms and conditions of insurance under any plan; designate perils for the purpose of any plan; determine coverage and establish values with respect to insurable crops for the purpose of any plan; and fix the final date in each year for the receipt of applications for crop insurance under any plan. A plan may apply to one or more insurable crop, and the plan or any provision thereof may apply to all of the province or to any area within the province. (s. 5)

The Governor in Council may make regulations designating any agricultural crop as an insurable crop; providing for arbitration of disputes and respecting any matter necessary or advisable for the intent and purpose of this Act. The decision of an arbitrator or a board of arbitration under the regulation is final. (s. 6)

The Act established a fund, known as the "Crop Insurance Fund," which shall be in the custody and control of the Commission. (s. 7)

#### IV. PRODUCTION

##### 1. General

###### *RESEARCH FOUNDATION ACT, R.S.N.S. 1967, c. 270.*

The Research Foundation shall have charge of all matters affecting scientific and industrial research within the province which may be assigned to it by the Governor in Council and shall advise the Governor in Council on questions of scientific and technological methods affecting the utilization of the natural resources or the expansion and development of industry in the province. The Foundation may conduct investigations to improve the conditions of agriculture, fisheries, lumbering and mining or for the economic betterment, welfare and progress of the province. (s. 6)

##### 2. Crops

###### *AGRICULTURE AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part VIII of this Act, "Encouragement of Seed Growing" provides for the appointment of a Provincial Agronomist who is to have all the powers of an inspector appointed under this part of the Act. (s. 85)

The Governor in Council, upon the recommendation of the Minister, may proclaim any area or areas in any part of the province as a special area for the purpose of encouraging the growing of pure seed of any farm or garden crops and to prevent the cross-pollination of such seed. (s. 86)

The Governor in Council may make regulations for the approval of a variety or varieties of seed; for the proclaiming of a variety area or areas; for the cancelling of any or all of such areas; for the inspection, test and approval of such seed and the inspection of such areas; and for the regulation such other matters as may be expedient or necessary to carry out the purposes and provisions of this Part. (s. 89)

Part X of the Act deals with soil improvement.

The Governor in Council may appoint a person to be the Provincial Chemist. The duties of the Provincial Chemist shall be to study, examine or test soil for the purpose of determining its suitability for agricultural purposes; to advise farmers and other persons as to the most economical and suitable use of fertilizers and other soil amendments; to examine the limestone deposits of the province and to encourage the use of ground, pulverized, burnt or hydrated limestone for agricultural purposes; to analyze and determine the suitability for agricultural purposes of water, feed, sprays and other substances used for agricultural purposes and perform such other duties as may be assigned to him by the Minister or the Governor in Council. (s. 103).

The Governor in Council may operate limestone quarries, plants, mills, workshops, warehouses or storage depots for the production, manufacture, storage or distribution of agricultural limestone as may be deemed useful in carrying out the provisions of this Part; and may facilitate the economical distribution of agricultural limestone by rebates of freight rates, cash bonuses or by such other methods as may be deemed necessary or advisable and for such periods as is deemed expedient. (s. 104)

Part XI of the Act is designed to protect cranberries, foxberries and blueberries. There shall be in every municipality a berry committee consisting of the Warden, the Clerk, the District Forester and the Agricultural Representative. Every berry committee may fix a time or times during which it shall not be lawful to take, pick or rake cranberries, foxberries or blueberries in the municipality. Until a berry committee otherwise orders, no person shall take, pick or rake cranberries or foxberries between the first day of August and the fifteenth day of September in any year. A municipal council may prohibit the use of a scoop, rake or other mechanical means or device for the taking, picking or raking of blueberries in the municipality. This section applies only to the counties of Antigonish, Cumberland, Guysborough, Halifax, Richmond and Yarmouth. (s. 106)

Part XII is entitled "Plant Disease, Insects and Pests".

This Part shall apply only to such plant diseases, insects and pests as the Governor in Council may declare to be subject to this Part. (s. 109)

The Governor in Council may appoint a person to be Provincial Entomologist who shall have and may exercise all the powers of an inspector appointed under this Part. (s. 110)

The Governor in Council may from time to time make such regulations as are deemed expedient to eradicate, control or prevent the introduction into the province or the dissemination therein of such plant disease, insect or pest. (s. 111)

It shall be unlawful for any person to have in his possession, in the province at any time, any vegetation, vegetable or other matter that the Minister deems to be likely to introduce into the province or to disseminate therein such plant disease, insect or pests. Regulations may be made providing for the treatment to be given to eradicate or control the disease or pest; prohibiting the sale of infected vegetation or vegetable matter; establishing quarantine areas; providing for the seizure, confiscation and destruction of infected vegetation; and concerning similar matters. (s. 112)

The Minister may appoint inspectors and such other officers as he deems expedient for carrying out this Part and the regulations made thereunder. Any inspector may enter any place or premises in which he suspects that any such plant, insect or pest exists. (ss. 113-114)

Part XIII deals with the "Prevention, Control and Elimination of the Apple Maggot". It provides for the continuation of the Apple Maggot Board. For the purpose of co-operating with the federal government in the expenditure of any contribution which the federal government may make to the province, to assist in the control and elimination of the apple maggot, the Minister of Agriculture for Canada shall have the right to nominate one member of the Board; such right shall remain as long as such federal contribution continues. (s. 121)

The Board, subject to the approval of the Governor in Council, may make regulations making it unlawful for any person to have in his possession in the province any vegetable or other matter which is likely to introduce or disseminate apple maggot, and the terms or conditions upon which any person may lawfully have in his possession any such vegetable or other matter. The regulations may provide for the treatment to be given to any vegetable matter, vegetation or premises to eradicate or control or prevent the spread of the apple maggot and may prescribe whether the treatment shall be given by the owner, occupier or by a person appointed for the purpose, providing that the occupier of the premises on which the apple maggot is discovered shall immediately notify the Board. Regulations providing for the seizure, confiscation and manner of disposal of any vegetable matter and providing for the destruction of any vegetation infested with the apple maggot are set out in the Act. (s. 125)

The Board may designate any area as an "Apple Maggot Control Zone" for the purpose of controlling or eradicating the apple maggot, and may prevent the transfer, movement or delivery of any apples from any part of the province to any place except with the consent of the Board. (s. 127)

The Board and its inspectors and officers have powers of entry if they suspect that apple maggot exists upon any lands or buildings. (s. 131)

*POTATO INDUSTRY ACT, R.S.N.S. 1967, c. 232.*

The Governor in Council may, on application as hereinafter provided, establish any area in the province as a certified foundation seed area or certified seed area and may make regulations governing the planting, growing, digging, storing and conveying of potatoes in any area so established. The Governor in Council may make regulations governing the conveyors of potatoes between such areas and other parts of the province, the source and quality of seed to be planted, the standards of certification for foundation seed, compulsory rogueing, the periods during which and the extent to which rogueing and removal of defective plants may be practised and the compulsory destruction of crops. (s. 2)

An application for the establishment of a certified foundation seed area or certified seed area shall be addressed to the Minister and shall be signed by at least 80 per cent of the growers residing in the proposed area and shall state the location and definite boundaries of the proposed area, the approximate acreage of potatoes grown in the proposed area, the number and names of growers residing within the proposed area and such other facts as may be required by the regulations. (s. 3)

Another Part "Disease Control", empowers the Governor in Council to make regulations for the purpose of preventing the introduction of any insect, pest or disease. Such regulations may include standards and grades of potatoes brought into or grown in the province; the treatment to be given any vehicle or container to prevent any insect, pest or disease; the use of containers and vehicles used for transportation of potatoes; sale and movement of potatoes from farm within a defined area; prohibition of sale of infected potatoes; confiscation of potatoes, containers and vehicles; notification of the presence or suspected presence of any insect, pest or disease; and similar matters. (s. 5)

The Minister may appoint inspectors for the purpose of carrying out this Act and regulations. These inspectors may enter any premises where potatoes are growing or stored and any vehicle containing potatoes and take specimens for the purpose of ascertaining the existence of any insect, pest, or disease. The inspectors shall have power to impose quarantine of premises and detain vehicles. (ss. 6-8)

*WEED CONTROL ACT, R.S.N.S. 1967, c. 336.*

The Governor in Council may designate plants as noxious weeds generally, or in respect of any part of the province. An occupant of any land shall destroy all noxious weeds as often as is necessary to eliminate them or to prevent the ripening of the seed. The Minister may appoint a Chief Inspector and district inspectors. The Council of a municipality shall appoint one or more inspectors for the municipality. The powers and duties of inspectors are described and also the liabilities of an occupant of land in the event of non-compliance with a direction from an inspector. (ss.2-6)

The Governor in Council on the recommendation of the Minister may make regulations prescribing methods and procedures for destroying noxious weeds and weed seeds and for preventing the establishment of noxious weeds; regulating, and prohibiting the transportation of farm produce that is or may be infested with noxious weeds or weed seeds; providing for reimbursement of municipalities for money expended under this Act; and similar matters. (s. 18)

The Minister shall appoint a Weed Control Advisory Committee which will include at least one representative of the Nova Scotia Federation of Agriculture, for consultation on all matters concerning the administration of this Act. (s. 19)

### 3. Livestock

*Agriculture and Marketing Act, R.S.N.S. 1967, c. 3.*

Part III of this Act, "Encouragement of Cattle Breeding", prohibits the running at large of a bull over eight months old and forbids the keeper of a scrub bull to allow the bull to serve any cow that is kept within the prohibited area (an area within the boundaries of an agricultural society and any other area that is declared by the Governor in Council to be a prohibited area for the purpose of this Part of the Act). It does, however, permit the president or secretary of an agricultural society to allow the servicing of a cow by a scrub bull where it is impracticable to procure the services of a purebred bull. This Part also provides for the establishment of Purebred Cattle Areas within which no person may keep a scrub bull for breeding purposes or any bull over the age of eight months that is not a purebred bull. (ss. 44-50)

Part IV, "Encouragement of Horse Breeding", provides that all stallions being offered for use for breeding purposes must be registered annually and a certificate of enrolment obtained. All stallions must be inspected and certificates are issued in four classes, the requirements for each class being specified in the Act. Copies of certificates must be displayed inside and outside every building where a stallion is used for public service and certificates must be produced, if demanded. This Part also lists the diseases or malformations considered in determining the enrolment classification. (ss. 51-68)

Part V is entitled "Encouragement of Poultry Breeding". The Minister with the approval of the Governor in Council, may make regulations prescribing a policy to be known as the Nova Scotia Hatchery Approval Policy for the improvement of poultry stock, and the eradication of disease. The regulations may prescribe standards and grades for chicks, poultry and hatcheries; standards for approved flocks for breeding purposes; measures for sanitation in or about hatcheries; measures for inspection and banding of poultry and marketing of chicks; methods of applying tests for disease in chicks and poultry; and other similar matters. (s. 69)

Part VI, "Improvement of Livestock Breeding", deals with artificial insemination of cattle, horses, sheep and swine. An Artificial Insemination Advisory Board is established which shall act in an advisory capacity to the Minister. The Governor in Council may make regulations prescribing the powers and duties of the Board; requiring operators of artificial insemination

centres and technicians to be licensed; prescribing requirements and minimum standards of artificial insemination centres; providing for grants of artificial insemination centres; providing for the keeping of records and furnishing of information; and exempting any person or clan of persons from the provisions of this Part or regulation thereof. (ss. 70-73)

Part IX is entitled "Encouragement of Dairying". The Superintendent of Dairying and his staff will be appointed in accordance with the Civil Service Act. The Superintendent of Dairying and any dairy inspector shall, for the purpose of carrying out this Part, inspect cheese factories, condensed milk factories, creameries, cream stations, dairies and ice cream factories, and shall give advice for the promotion of dairying in the province. (ss. 90-94)

*BRUCELLOSIS CONTROL ACT, R.S.N.S. 1967, c. 27.*

Brucellosis control areas may be established under appointed committees and all female calves in these areas must be vaccinated. In the performance of his duties, under this Act, a veterinarian or inspector may at any time between sunrise and sunset enter any land or building other than a dwelling house and may vaccinate or inspect, as the case may be, the female calves on the premises. (s. 3)

Every cattle owner is liable for the cost of vaccination of his female calves which shall be payable on demand to the veterinarian and shall be recoverable by the veterinarian in any court of competent jurisdiction. (s. 6)

The Governor in Council may make regulations prescribing the vaccines that may be used, prescribing the ages within which female calves may be vaccinated, the duties of inspector, and dealing with similar matters. (s. 7)

*FENCES AND IMPOUNDING OF ANIMALS ACT, R.S.N.S. 1967, c. 104.*

The proprietor of a field adjoining another field, enclosed and improved, shall build and maintain his proportion of fencing on that part of the land which adjoins his own. If such proprietor neglects or refuses to build or maintain his proportion of such fencing, any fence viewer may cause such deficient fence to be built or repaired, and the proprietor shall pay double the expenses of making or repairing such fence, to be recovered by the fence viewer, with costs. Every fence viewer who neglects or refuses to build or repair any partition fence shall be liable to a penalty of eight dollars. (s. 6)

If any damage is done by animals breaking into and destroying the product of any enclosure, the owner of the animals which are trespassing shall pay, to the injured person, compensation for such damages. (s. 14)

In every case where damage is done to the enclosed land of any person by any animal breaking the fence, the owner of the animal will be liable for damages. (s. 16)

If the damage is done by animals breaking into and destroying the product of any enclosure, the persons whose fences have been broken and whose enclosure have been damaged may impound the animals on trespassing until the owner claims them and pays for the damage done. (s. 20)

The county of Halifax, upon petition of a majority of ratepayers, may pass a by-law permitting cattle to run at large. In this case, no action for damages caused by cattle running at large shall be maintainable unless the land on which the damage was committed is enclosed by a lawful fence. (s. 28)

*LIVESTOCK BRAND ACT, R.S.N.S. 1967, c. 170.*

"Brand" includes any tattooed letter, numeral or combination thereof. "Livestock" includes horses, cattle, sheep, swine and domestic fowl. (s. 1)

No person shall brand any livestock except with a brand allotted to him pursuant to this Act. Any brand allotted shall be valid for five years but may be renewed for a further period. Any person to whom a brand is allotted may transfer the right to use the brand to any other person upon application to the Provincial Husbandman. (s. 2)

A tariff's fee is appended to the Act.

*SHEEP PROTECTION AND DOG REGULATION ACT, R.S.N.S. 1967, c. 281.*

Part I entitled "Dogs - Dog Taxes", empowers the municipal councils to make by-laws regarding the taxation, registration, restraint and killing of dogs. It specifies how dog taxes are to be collected and dog tags issued. (ss. 1-4)

Part II deals with "The Protection of Sheep". Any person may kill any dog which is found pursuing, worrying, wounding, killing or injuring sheep, or which is found straying at any time and not under proper control upon premises where sheep are usually kept. (s. 6)

Whether the owner of any dog killing or injuring sheep is known or not, the municipality in which the sheep were killed or injured shall be liable to the owner of the sheep for the amount of damage ascertained by a sheep valuer or stipendary magistrate or justice of the peace, and shall pay such amounts within thirty days after the owner has filed with the clerk an affidavit that, to the best of his knowledge and belief, the sheep were killed or injured by a dog and that the dog was not owned by him or his household. (s. 7)

A municipality having paid to the owner of the sheep the amount of the damage ascertained shall be entitled to recover the amount so paid from the owner of the dog. Where a dog is known to have killed or injured sheep,

the owner, on being duly notified, shall within 48 hours cause the dog to be killed. If he neglects to kill the dog, he may be summoned before a magistrate or a justice of the peace who may order that the dog be killed and, in such a case, a constable may enter upon the premises of the owner and may kill the dog. (s. 9)

*STRAY ANIMALS ACT, R.S.N.S. 1967, c. 294.*

Between the first day of November and first day of May, if any animal whose owner is unknown (animal includes horses, cattle, swine, and sheep) strays into the yard, barn or enclosure of any person, the animal may be detained. If the animal is not claimed within 24 hours, the municipal clerk must be notified. (s. 2)

The Act describes how the animals may be sold where no claimant appears and how the proceeds of the sale are to be applied. If the owner claims the animal before sale, he shall pay the finder his reasonable expenses of keeping, and also the municipal clerk's fee and if advertised, the reasonable expense of advertising. (ss. 3-6)

Dogs found chasing or worrying sheep may be killed and the owners of such dogs shall have no right of action against the person killing the dogs. (s. 9)

Municipal councils may make by-laws to prevent or regulate horses, cattle, sheep, dogs, swine, vicious animals and geese from going at large, and may affix penalties for breach of such regulation. (s. 14)

*VETERINARY ASSISTANCE ACT, R.S.N.S. 1967, c. 326.*

The Governor in Council may appoint a Veterinary Assistance Advisory Board. The Veterinary Assistance Advisory Board shall assist in co-ordinating the activities of veterinary assistance boards and advise boards respecting the carrying out of activities under this Act. (s. 2)

A municipal council may establish a veterinary board for the municipality or for any district, or define the area within the municipality to which the board shall relate. The composition of the board is specified in the Act. (s. 3)

The aims, objects and purpose of a veterinary assistance board are: to enable and encourage veterinarians to practise veterinary medicine and surgery in the municipality; to enable the veterinarians to confer together for the interchange of information on matters relating to veterinary medicine and surgery; to impart of information and instruction on animal diseases; and to render financial or other assistance to veterinarians practising in the rural areas or more sparsely settled areas. (s. 4)

For the purpose of encouraging veterinarians to practise veterinary medicine and surgery for the control, treatment and prevention of livestock diseases in the rural areas and in the more sparsely settled areas of the province, a board may pay to such a veterinarian, annually, out of the funds of the boards, such amounts not exceeding \$3,100 as may be agreed upon, provided that the veterinarian complies with the rules and regulations of the board made pursuant to this Act. (s. 7)

A board may, subject to the approval of the Minister, make regulations respecting the terms and conditions on which payments may be made to veterinarians, prescribing the maximum fee that may be charged by veterinarians receiving assistance from the board, and prescribing that uniform rates shall be charged throughout the entire municipality or district or zone. (s. 8)

V. MARKETING

1. General

*AGRICULTURE AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part XVII is entitled "The Grading, Packing, Inspection and Sale of Natural Products of the province".

"Product" includes animals, wool, meats, eggs, poultry, fruit, fruit products, vegetable, vegetable products, maple products, honey and such other natural products of agriculture as the Governor in Council may designate, and such articles of food or drink wholly or partly manufactured or derived from any such product as the Governor in Council may designate. (s. 163)

The Governor in Council may from time to time make regulations classifying and establishing grades for any product; with respect to packages or containers and providing for the inspection, grading, packaging, packing, marking, shipping, advertising and selling of products within the province; prescribing when and where the regulations will be in force; for the registration of packers and of persons assembling products and for the registration and licensing of brokers, commission agents and dealers; and prescribing fees for such registration and licensing, and fees for the inspection of products and other matters. (s. 164)

*COLD STORAGE PLANTS LOAN ACT, R.S.N.S. 1967, c. 37.*

The Governor in Council may make loans to any person, partnership, company or association of persons for the purpose of erecting, establishing, acquiring, owning or operating a cold storage plant or plants. (s. 3)

Such loans shall be for such term and shall bear interest at such rate and payable in such manner as may be provided in the regulations provided that the repayment of the principal of any such loan shall be commenced within three years of the date of the loan and provided further that not less than 50 per cent of such loan shall be repaid before the expiration of ten years from the date of the loans and provided further that the period of the loan shall not exceed twenty years. (s. 3)

Every such loan shall be secured by a first mortgage and deed of trust in favor of the Minister and shall contain such further covenants, provisions and conditions as the Minister may deem proper. (s. 4)

The Governor in Council may make regulations prescribing the form and manner of making applications and the manner in which applications shall be dealt with; prescribing the rates of interest and other conditions attached to the loans under this Act. (s. 8)

*MERCHANDISE INSPECTION ACT, R.S.N.S. 1967, c. 182.*

Among other matters, this Act prescribes standard weights for loaves of bread and provides for the marking, on the wrapper of each loaf, the weight of the loaf and the name of the maker. (ss. 2-4)

Potatoes and all edible roots must be sold by weight. (s. 7)

The size and dimension of barrels used for putting up or packing apples or potatoes for sale are as follows: the length of the stave or barrel shall be 29 inches, and the heads and the heads between chines, 17 inches, with a diameter in the center inside the barrel of 19 inches. (s. 43)

*MUNICIPAL CORPORATIONS' SUPPLEMENTARY POWERS ACT, R.S.N.S. 1967, c. 196.*

Part IX, entitled "Public Markets", permits municipalities to continue and establish public markets; to regulate and control them; to apply rents and penalties for users of the markets and to receive the accounts of keepers and clerks of markets. (ss. 25-28)

*NATURAL PRODUCTS MARKETING ACT, R.S.N.S. 1967.*

"Natural products" include animals, meats, eggs, poultry, wool, dairy products, grain, seeds, fruit, fruit products, vegetables, vegetable products, maple products, honey, forest products, and articles of food or drink manufactured or derived in whole or in part from any such product. (s. 1)

The Governor in Council may establish a board to be known as the Nova Scotia Marketing Board, which shall be a body corporate. (s. 2)

Subject to the approval of the Governor in Council, the Board may investigate, arbitrate, adjudicate upon, adjust or otherwise settle any dispute between producers, distributors or transporters of natural products or between any two of such classes of persons; may investigate the cost of producing, distributing and transporting any natural products, prices, price spreads, trade practices, methods of financing, management, grading, policies and other matters relating to marketing of natural products; may establish local boards for the purpose of carrying out any scheme or plan established under this Act; may establish price negotiating agencies in connection with any scheme and adopt or determine fair and minimum prices for any regulated product; may require persons engaged in the producing or marketing of a natural product in any area or areas designated by the Board to register with the Board their names, addresses and occupations; may require persons to permit inspection of their vehicles; may co-operate with any board or agency, established under any federal Act or provincial act, to market or promote, facilitate, control, regulate or prohibit the marketing of any natural product and to act conjointly with any such board

or agency; may prohibit any person other than the Board or a local board designated by the Board from marketing regulated products; may require the furnishing of security or proof of financial responsibility by any person engaged in the marketing of regulated products; may accept, have and exercise all powers of regulation in relation to the marketing of a natural product outside the province in interprovincial and export trade that are conferred upon it by or pursuant to any Act of the Parliament of Canada and for the purpose of such regulation to exercise all the powers conferred upon the Board by this Act. The Board may delegate to a local board such of its powers as the Board deems necessary for the proper enforcement of any scheme under which a local board if constituted and may at any time terminate such delegation of power. The Board may require a local board to furnish information relating to any product regulated by the scheme under which the local board is constituted. (s. 4)

Subject to the approval of the Governor in Council, the Board may from time to time make regulations regulating and controlling the marketing of natural products, including the agency through which such products may be marketed in Nova Scotia; providing for the licensing of persons engaged in the marketing of natural products; and generally for the better carrying out of this Act. (s. 5)

The Governor in Council or the Board subject to the approval of the Governor in Council, may establish schemes for the promotion, control, regulation or prohibition of the marketing of any natural products, provided that no such scheme shall be established unless satisfactory evidence has been submitted to the Board that the scheme is recommended and approved by such proportion of the producers or persons in the marketing of the product as the Board may deem satisfactory. (s. 7)

*PUBLIC HEALTH ACT, R.S.N.S. 1967, c. 247.*

The Minister, with the approval of the Governor in Council, with respect to any matter relevant to public health, may make regulations: respecting the storage, production, manufacture, processing, transportation or sale of foodstuffs of any kind and for the inspection and control of premises in which any of these activities are carried on; regulating or prohibiting street vending of foodstuffs of any description from vehicles, push carts and roadside stands; relating to the quality, kind, cleanliness, storage, production, care, manufacture, processing, transportation and sale of milk, cheese, cream, ice-cream and soft drinks or any other milk product produced for sale, offered for sale, sold or delivered within the province; regulating and licensing restaurants, lunch counters, eating houses and mass feeding operations; respecting the sanitary conduct of slaughter houses and meat product plants; providing for the inspection of meat and meat products; regulating stables, kennels and places where animals are kept or confined; and respecting any other matter relevant to the public health. (s. 11)

Part VIII entitled "Milk and Foodstuffs" provides for the inspection of places in which milk, milk products or other foodstuffs are produced, manufactured, stored, kept for sale or sold, and of vehicles in which they are transported; prohibits the sale of such products if the conditions in that place are unsanitary; and provides for the issue of permit books, inspection and keeping of records of permits. (s. 103)

A board of health may make and enforce such orders as it considers necessary to prevent the sale of impure, adulterated or unwholesome milk or foodstuffs, or milk or foodstuffs liable to carry disease. (s. 105)

No person who is infected with a communicable disease, or is a contact of such a disease, or is known to be a carrier of such a disease, shall participate in any way in the storage, production, manufacture, transportation ... etc. of milk or foodstuffs unless he has a certificate from the director of a health unit that no infection or danger of infection exists by reason of his participation. (s. 107)

Part VIII also stipulates the restrictions on the sale of raw milk, the method and requirement of pasteurization, the bottling and sale of milk and cream, the homogenization of milk and the capping of bottles. Provision is made for inspection of the whole process of pasteurization and bottling.

## 2. Livestock

### *AGRICULTURE AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part XVIII is entitled "The Distribution and Sale of Milk".

There shall be a Commission, to be called the Nova Scotia Dairy Commission, consisting of one member representing the Nova Scotia Milk and Cream Producers Association, one member representing the Nova Scotia Milk Distributors Association, and three members in no way actively associated with the dairy industry. (s. 175)

While the expenses of the Commission may be borne by milk producers, processors or distributors in such proportion as the Commission may determine, the Governor in Council is authorized to pay and advance annually to the Commission out of the Consolidated Revenue Fund, sums of money necessary for the administration of this Part. (s. 176)

The Commission shall have power to arbitrate, adjust and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe standards of prices for whole milk, cream and butterfat or any of them in the designated areas of the province; prescribe maximum or

minimum prices for milk or any grade or grades thereof; prescribe the quantities or containers in which milk will be sold; prohibit, within the limits of an area designated by the Commission, the sale of milk and grades thereof.

No person shall, directly or indirectly, engage in or carry on the business of producing, supplying, distributing, transporting, processing or selling milk unless such person is a holder of a valid licence issued by the Commission. (s. 178)

The Commission or any officer, clerk or employee of the Commission or any person with authorization of the Commission may at any time and from time to time enter upon and inspect any and land, building, dairy factory, shop or premises owned or occupied by a licensee under this Part and make therein any inspection, test or examination under this Part or the regulations made thereunder. (s. 182)

The Commission may make regulations to: prohibit or regulate the manufacture, processing, distribution or sale of reconstituted milk; co-operate with a marketing board or agency of Canada or any province of Canada for the purpose of marketing milk; provide for the administration of the system of quotas; regulate the grading, inspection packaging, marking, shipping, advertising and selling of dairy products in the province; provide for licensing of packers and distributors; and provide for appointment of graders and inspectors and prescribe their powers and duties. (s. 177)

The Commission may from time to time make regulations specifying the terms and conditions upon which a licence may be obtained, the fees payable therefor, and other related matters to carry out the provisions of this Part. (s. 185)

*BABY CHICK PROTECTION ACT, R.S.N.S. 1967, c. 17.*

Every person who displays, sells, barters, or gives, or offers to sell, barter or give a living chicken under two months of age that has been dyed, colored or otherwise treated so as to impart to it an artificial color is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment of not more than thirty days, or both. (s. 1)

*IMITATION DAIRY PRODUCTS ACT, R.S.N.S. 1967, c. 133.*

"Imitation dairy product" means any food substance for human consumption that is an imitation of a dairy product, or substitute for dairy product represented to be for the same use as a dairy product and that is manufactured wholly or in part from any fat other than that of milk, and includes any product for use as a dessert topping or as a coffee whitener and such other products that are designated as dairy products in the regulation, but does not include peanut butter or margarine, as defined in the Margarine Act. (s. 1)

Subject to regulations:

- 1) no person shall manufacture, sell or offer for sale or have in his possession for sale any imitation dairy product; (s. 2)
- 2) the Minister of Agriculture and Marketing may appoint inspectors for the purpose of this Act; (s. 3)
- 3) an inspector may, at all reasonable times, for the purpose of enforcing this Act or of ascertaining whether or not it is being complied with, enter and examine any place, premises, warehouse, factory, store, boat, ship, car, truck or vehicle that is being used for storage, manufacture, sale or carriage of an imitation dairy product or is believed by the inspector to be so used, and may detain any imitation dairy product for inspection at the expense of the owner. (s. 4)

The Governor in Council may make regulations designated products as imitation dairy products; permitting the manufacture and sale of such products; providing for the issue of licences in respect of an imitation dairy product; prescribing the form, terms and conditions of such licences; providing for the transfer, renewal and suspension and cancellation of licences; prescribing the standards of quality for imitation milk and other matters for the carrying out effectively the intent and purpose of this Act. (s. 5A)

*MARGARINE ACT, R.S.N.S. 1967, c. 174.*

"Margarine" means margarine, oleomargarine, butterine, or any food substance other than butter, of whatever origin, source or composition that is prepared for substantially the same uses as butter. (s. 1)

Every keeper of a public eating place where margarine is served shall, where a menu is used, cause to be displayed in a conspicuous manner the words "margarine is served here"; where a menu is not used, caused to be displayed in a conspicuous manner in each room or place where food is served, a sign or placard bearing the words "margarine is served here" in letters large enough to be distinctly seen from all parts of each room or place. (s. 2)

No person shall mix margarine with butter for purposes of sale or for use in any public eating place. (s. 3)

No person shall manufacture, sell, offer for sale or serve in any public eating place any margarine which contains any preservative (except salt) of a kind or in a quantity forbidden by the regulations. (s. 4)

No person shall sell or offer for sale any margarine except in a package having legibly marked thereon, in addition to anything required under any Act of the Parliament of Canada or of the Legislature, the word "margarine" or the trade name of the contents, the list of ingredients and the percentage of each ingredient, and the name and address of the manufacturer. (s. 5)

No person shall manufacture margarine in Nova Scotia without a licence therefor from the Minister. (s. 6)

The Governor in Council may make regulations prescribing standards of quality of margarine. Restrictions on the color of margarine offered for sale or served to the public are also specified in the Act. Inspectors may be appointed to enforce the Act and they have powers to enter premises and conveyances, require the production of books and records and detain margarine at the owner's expense and take samples.

VI. AGRICULTURAL SOCIETIES AND EDUCATION

*AGRICULTURAL AND MARKETING ACT, R.S.N.S. 1967, c. 3.*

Part II is entitled "Agricultural Associations". The Governor in Council may appoint a person to be the Superintendent of Agricultural Associations. The Superintendent shall take measures for the organization of agricultural societies; inspect the stock owned by such societies and see that the stock purchased is of a sufficiently high standard; inspect the books and accounts of any society organized under this Part, and of any society or association under this Part and receiving government aid; assist such societies in the arranging of meetings and generally promote improvements in the agriculture of the province; provide for the distribution throughout the province of agricultural literature and information; and perform such other duties as may be required of him by the Governor in Council. (s. 5)

An agricultural society may be organized for any district, whenever not less than ten persons signify their willingness to become members by signing a declaration as provided for in this Part and by each paying not less than one dollar annually to the funds of the society, provided that the amount to be paid under this section shall be less than \$40. (s. 7)

The objects of agricultural society shall be to promote, in agriculture and in general, rural community life by holding exhibitions or fairs and, in connection therewith, awarding prizes or premiums for livestock other than grade breeding males, for agricultural and horticultural implements and machinery, for the production of grain and all kinds of vegetables, plants, flowers, fruits and the products of domestic manufacture and industry, and generally for excellence in any agricultural or horticultural production or operation, article of manufacture of work or art; by organizing plowing matches, holding seed fairs, competitions respecting standing crops and for the best managed farms; by owning or distributing purebred registered animals, and seed and plants of new or of valuable kinds; by promoting the circulation of agricultural literature; by offering prizes for essays on agriculture, horticulture, domestic industries, manufacture and the useful arts; by promoting and encouraging the formation of co-operative societies; boys' and girls' clubs and other organizations; by taking action to eradicate poisonous and noxious insects and weeds; and by improving the agricultural and social life of the community. (s. 9)

The annual meeting of every agricultural society shall be held between October 1 and October 31 each of each year. At such meetings, a president, vice-president and secretary-treasurer, and not more than 5 directors shall be elected, and at such meetings, 7 members will be a quorum. The financial year of every agricultural society shall end on September 30th in each year. (s. 10)

A society may, subject to the approval of the Governor in Council, make by-laws for the management and regulation of the business of the society and for carrying out its objects. (s. 13)

The members of an agricultural society may become members of the district Federation of Agriculture of the district in which the agricultural society is formed by complying with the by-laws of the district Federation of Agriculture and by payment of the required fee. (s. 17)

Provision is also made in this Part for the continuation of the Nova Scotia Federation of Agriculture as a body corporate consisting of all members of any county Federation of Agriculture with the object of enabling members to confer together for the interchange of information relating to agriculture, to encourage and assist in the formation of county and district Federations of Agriculture, to promote the circulation of agricultural literature and for similar purposes. The Act sets out the organization of the Federation. Provision is also made for the formation of a county Federation of Agriculture for each county and a district Federation of Agriculture for each district within a county, and the objects, powers and duties of each type of Federation are prescribed. There is also provision for the formation of Community clubs, one for each school district with aims somewhat similar to those of the Nova Scotia Federation of Agriculture. (ss. 21-43)

In Part VII, provision is made for the formation of horticultural societies. A horticultural society may be organized in the province with the permission of the Provincial Horticulturist. (s. 77)

The objects of a horticultural society shall be to encourage interest in and improvement of horticulture by holding meetings for instruction and discussion on subjects connected with theory and practice of horticulture; encouraging the improvement of home and public grounds by planting of trees, shrubs, flowers and by otherwise promoting outdoor art and public beauty; importing and otherwise procuring and distributing seeds, plants, shrubs and trees of the kind desired by members; holding contests and competitions; holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs and promoting the circulation of horticultural periodicals and other horticultural publications. (s. 78)

The Act prescribes the organization and meetings of societies and deals with annual provincial grants and similar matters. (ss. 79-84)

Part XV is entitled "County and District Exhibitions".

Subject to the approval of the Governor in Council, any agricultural society, county or district Federation of Agriculture or any other society or association may hold for its respective county or district an annual exhibition of agriculture or horticulture produce, farm stock or articles of domestic manufacture, at which prizes will be awarded for the best specimen produced. (s. 153)

The Minister, with the approval of the Governor in Council, may make regulations prescribing the form and content of applications for grants in aid of an exhibition; prescribing the conditions for the payment of grants or of any specific grant; respecting the qualification of judges and other related matters. (s. 158)

Part XVI entitled "Agricultural Education" provides for the continuation of the Nova Scotia Agricultural College and Experimental Farm at Truro, provides for its equipment, machinery and maintenance, and for the appointment of professors, instructors and a farm manger. (ss. 159-162)

*AGROLOGISTS ACT, R.S.N.S. 1967, c. 5.*

The Nova Scotia Institute of Agrologists, as at present constituted, shall continue to be a body corporate. The Institute shall consist of the persons who are or become members in accordance with the provisions of this Act. There shall be a Council of Management of the Institute to be constituted a provided under this Act and a Board of Examiners. The Act prescribes the powers of the Institute regarding membership, registration and similar matters. No person may practise agrology or assume the title of Agrologist unless he is a member in good standing of the Institute. (ss. 1-18)

*NOVA SCOTIA LAND SURVEYORS ACT, R.S.N.S. 1967, c. 243.*

Subject to the provisions of this Act, all persons who hold certificates of qualification as Nova Scotia Land Surveyors are constituted as a body corporate under the name of "Association of Nova Scotia Land Surveyors". (s. 2)

There shall be a Council of the Association, consisting of the president, vice-president, secretary, the immediate past-president, and such other members as are elected and hold office in the manner provided in the by-laws. (s. 3)

The Council may suspend or expel a member of the Association whom it finds guilty of gross negligence, incompetence or corruption in the performance of his duties as surveyor, or of false utterances. (s. 5)

There shall be a Board of Examiners for Nova Scotia Land Surveyors that will issue certificates of qualification for land surveyors. (s. 7)

The Board, with the approval of the Governor in Council, may make regulations prescribing the educational qualifications to be possessed by candidates for certificates of qualifications as Nova Scotia Land Surveyors; prescribing the subjects for examination of candidates for such certificates; prescribing examination fees and other related matters. (s. 8)

No person shall practise land surveying for gain unless he is the holder of a certificate of qualification as a Nova Scotia Land Surveyor and is an active member in good standing of the Association, or is entitled under the Engineering Profession Act to practise professional engineering in Nova Scotia. (s. 16)

*VETERINARY MEDICAL ACT, R.S.N.S. 1967, c. 327.*

The Nova Scotia Veterinary Association, a body corporate, is continued as such under the name, Nova Scotia Veterinary Medical Association. (s. 2)

The objects of the Association are to encourage, promote and safeguard the health of livestock generally; to promote, encourage and develop veterinary science in the province and, in accordance with the provisions of this Act, to regulate ethical practice thereof; to arrange for and conduct courses of instruction, studies and lectures in connection therewith and to co-operate with the boards of health for the purpose of securing conformity with rules and regulations for the protection of the public against infectious and contagious disease communicable from animal to man. (s. 3)

Any person is entitled to become a member of the Association if he is more than 20 years of age; is a qualified veterinarian; has not been found guilty of infamous or unethical conduct in a professional respect; solemnly declares his willingness to uphold the honor and dignity of the profession; undertakes to practise the profession of veterinary medicine in a professional and becoming manner and in accordance with the provisions of this Act and the by-laws of the Association; and pays the fees prescribed by the by-laws. (s.4)

The Council of the Association shall be composed of the president, the vice-president, the registrar, the secretary and three executive members, one of whom shall be the Director of Animal Pathology for the province. (s.5)

No person other than a member of the Association shall append to his name, or otherwise use, the title of "Veterinarian", "Veterinary Surgeon" or any abbreviation thereof, and no member of the Association shall use any title, degree or abbreviation thereof which has not been conferred upon him by a school or college recognized by the Canadian Veterinary Medical Association. (s. 11)

## VII. CO-OPERATIVE AND CREDIT UNIONS

### *CO-OPERATIVE ASSOCIATIONS ACT, R.S.N.S. 1967, c. 57.*

This Act sets forth the method of incorporating co-operative associations, the powers and capacity of associations, their membership and share capital, disposition of profits, auditor's reports and similar matters. The Minister may also appoint an auditor at any time to audit the financial affairs of any association, and to report to the Minister. Provision is made for the appointment of a provincial inspector of co-operative associations and his powers are prescribed.

### *CREDIT UNION ACT, R.S.N.S. 1967, c. 69.*

Any fifteen or more persons who are residents of the province and who have a common bond of occupation or association or who reside in the same neighborhood, community, district or village may form a credit union by subscribing their names to a memorandum of association and complying with the requirement of this Act respecting registration and the payment of fees. (s. 4)

### *FARMERS' FRUIT, PRODUCE AND WAREHOUSE ASSOCIATIONS ACT, R.S.N.S. 1967, c. 99.*

Any number of persons not less than five, may form themselves into a company for the purpose of (a) buying, selling, bartering, taking on consignment, dealing in and packing fruit, fodder and other farm produce, arsenate of lead, spraying materials and all kinds of insecticides and fungicides, power spraying outfits, hand pumps and all other commodities or material incidental to the use of the same, nails, pulp leads, paper and all material necessary for the purpose of packing fruit and farm produce, flour, feeds and all milling produce, artificial fertilizer of all kinds, seeds, farming implements, tools and wagons and all manner of merchandise; (b) buying, selling, leasing, erecting, improving, managing and operating stores, storehouses, warehouses and other buildings which may be incidental or conductive to the purposes of the company; and (c) investigating or taking stock in any company or business considered to be for the benefit of the company by subscribing their names and addresses to a memorandum of association as provided under this Act. (s. 1)

PRINCE EDWARD ISLAND

I. ADMINISTRATION

*AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. 1951, c. 5.*

The Minister of Agriculture is to administer the agricultural affairs of the province and the moneys provided by the legislature for the encouragement of agriculture and the dissemination of agricultural information. He is to organize Farmers' Institutes, receive the accounts and reports of these societies; take measures to obtain, from other countries, animals of new and improved breeds, new varieties of grains, seeds, vegetables and other agricultural products for distribution in the several districts; and adopt measures to promote improvements in stock raising, dairying, horticulture and other branches of agriculture.

(For a summary of the remainder of this Act see "Agricultural Societies and Education".)

## II. LAND POLICY

### 1. Settlement

*RE-ESTABLISHMENT ASSISTANCE ACT, R.S.P.E.I. 1951, c. 140.*

The Lieutenant Governor in Council may make regulations for the administration of any fund which may be provided to assist in the re-establishment of needy farmers and fishermen. The fund may be used for the purchase of suitable land and its allocation to farmers' sons or other young men who give promise of becoming competent farmers, for the provision of livestock, seed and fertilizer to operate these farms; for instruction for these assisted farmers; and, in general, for the carrying out of any measures which are necessary for the rehabilitation of substandard farms and assistance of necessitous farmers.

### 2. Tenure and Assessment

*DIVISION FENCE ACT, R.S.P.E.I. 1951, c. 43.*

It is the duty of every owner or occupier of land which adjoins improved, cultivated or enclosed land of another person to build and keep in repair his proper part or proportion of fencing at least four feet high between his land and the adjoining land. If the owner or occupier neglects or refuses to do this, after 20 days' notice, the owner or occupant of the adjoining land may apply to two fence viewers for the appropriate township. Fence viewers are appointed by any judge of the Supreme Court of the province. The fence viewers shall view the fence and they may apportion the duty to build or repair the fence and ten days after this, the applicant may cause the fence to be built or repaired and submit an account of the cost to the fence viewers. If the fence viewers approve the cost incurred, the applicant may take action in any court of competent jurisdiction to recover the share of the cost allotted to the owner or occupier of the adjoining land and he is entitled to recover double the amount as liquidating damages, together with the fees of the fence viewers and the cost of the action.

This Act does not apply to any village, town or city covered by the Village Service Act, 1954.

*EXPROPRIATION ACT, R.S.P.E.I. 1951, c. 53.*

This Act sets forth the terms and conditions under which the province may expropriate land for any public work.

*FISH AND GAME PROTECTION ACT, S.P.E.I. 1959, c. 13.*

Section 22 of this Act exempts resident farmers, farm laborers or their wives from the need to possess a licence for hunting or trapping. Licences are not required by residents to hunt fur-bearing animals during their open season or such other birds and animals at such times as the Minister administering the Act may designate. Fur-bearing animals may not be hunted within 200 yards of any fur farm.

*GAME ACT, R.S.P.E.I. 1951, c. 67.*

Section 5 of the Act exempts resident farmers and rural laborers from the requirement that no person may angle for trout or salmon or hunt any upland game bird or migratory game bird or hare or rabbit unless a licence is issued to him under this Act.

*LANDLORD AND TENANT ACT, R.S.P.E.I. 1951, c. 82.*

This Act deals with the relationship between landlord and tenant in connection with leases and tenancies and is concerned with covenants, waste by tenants, defects in leases, liceses to tenants, forfeiture of leases, notices to terminate tenancies, renewals of leases, distress for rent and the proceedings thereunder, and ejectment proceedings. Section 31 provides that there may be taken under a distress for rent any horses, cattle, sheep, swine, poultry, fowl, livestock and other domestic animals which are grazing, pasturing or feeding upon any highway or way which are grazing, pasturing or feeding upon any highway or way belonging or appertaining to the premises in respect of which the rent distrained for is payable. Section 35 states that any sheaves or cocks of grains, or grain loose, or in the straw, or hay, lying or being in any barn or granary or otherwise upon the land charged with the rent may be distrained. Sections 36 to 38 provide that growing crops distrained for rent may be cut, gathered, cured, threshed and laid up in the barns or other places on the demised premises or on nearby premises by the landlord or the growing crops may be sold by the landlord without being reaped, threshed or marketed.

*REGISTRY ACT, R.S.P.E.I. 1951, c. 143.*

This Act provides for the appointment of registrars, describes how the registry books shall be kept, prescribes the proof necessary for registry and the duties of registrars, provides for searches and copies, describes the effect of non-registration, deals with assignments and releases and descriptions of lands and similar matters, and sets out the schedule of Registrar's fees.

Certificates of discharge of mortgages need only be filed and not copied at full length in the Register books. Any documents bearing the seal of the Farm Credit Corporation and attested by a member or authorized officer of the corporation, may be registered without proof of execution.

III. FARM FINANCE

1. Credit

*AN ACT TO PROVIDE ASSISTANCE TO ESTABLISH YOUNG FARMERS IN AGRICULTURE,  
S.P.E.I. 1959, c. 12.*

This Act provides for the appointment, by the Lieutenant Governor in Council, of the Prince Edward Island Farm Establishment Board as a body corporate to make loans to assist young farmers in the establishment, development and operation of their farms. The Board is under the control and direction of the Minister of Agriculture. The Lieutenant Governor in Council may also authorize grants to the Board from time to time, up to a total sum not exceeding \$5 million. Any loan by the Board, which may be made only for the purpose of acquiring or improving farm land, buildings and equipment, or for paying off encumbrances, shall not exceed \$10,000, and shall be secured by a first mortgage on the lands farmed or to be farmed by the borrower. The Board may make a further loan of up to \$10,000 to a borrower of good standing to purchase additional land, but such loan is not to exceed 85 per cent of the value of the additional security as shown by the valuator's report. No loan shall be made for more than 25 years, or for a period that will carry the term of repayment beyond the borrower's 65th birthday.

To qualify for a loan, a borrower must be between the age of 21 and 50 years, be a resident as defined by the regulations, and be of sufficient good health to obtain any insurance on his life that may be required under the Act or negotiated by the Board. A life insurance policy or assignment thereof, or a chattel mortgage, may be accepted as collateral security.

*JUDGMENT AND EXECUTION ACT, R.S.P.E.I. 1951, c. 78.*

Section 26 of this Act provides that the following chattels shall be exempt from seizure under a writ of execution: the necessary wearing apparel, beds and bedding of the debtor and his family, and the tools and implements of his trade or occupation, one cooking stove, fuel and food for the ordinary use of the debtor and his family, and one cow, all not exceeding the value of \$500.

*POTATO CROP MORTGAGE ACT, R.S.P.E.I. 1951, c. 113.*

No mortgage or other lien upon any growing crop of potatoes is valid unless it is executed as security for the purchase price and interest thereon of seed potatoes, fertilizer or spray material or as a security for the performance of an agreement to sell or deliver potatoes in consideration of

the sale or delivery of seed potatoes, fertilizer or spray material. The mortgage or other lien must be given upon a crop of potatoes which is sown within one year of the date of execution of the mortgage or lien. The seed, fertilizer or spray material mortgage will rank prior to other liens.

*SEED GRAIN SECURITY ACT, R.S.P.E.I. 1951, c. 147.*

A memorandum of security for the purchase price of seed grain, if executed in favor of the Provincial Treasurer, is a first charge upon the lands described in the memorandum, except only for the school district land tax; if executed in favor of a mortgage or unpaid vendor, it ranks equally with his existing security by way of mortgage or vendor's lien and payment may be enforced in the same manner as the mortgage or sale agreement. Provision is made for the Provincial Treasurer to sell land upon which payment of the sum secured is in default.

2. Income Assistance

*PRINCE EDWARD ISLAND CROP INSURANCE ACT, S.P.E.I. 1967, bill 73.*

A body corporate, named the "Prince Edward Island Crop Insurance Agency", is established to carry out and administer this Act under the direction, supervision and control of the Minister of Agriculture. The Agency is to consist of five directors appointed by the Lieutenant Governor in Council.

The Agency is empowered to administer plans of crop insurance established by the regulations; conduct surveys and research programs relating to crop insurance; enter into agreements with or retain persons for soliciting and receiving application for insurance, collecting premiums and adjusting plans under claims; reinsurance risks; and require an applicant for crop insurance to furnish such information, statements and reports as the Agency may deem necessary.

Subject to the approval of the Lieutenant Governor in Council, the Agency may make regulations establishing, amending and revoking voluntary plans for crop insurance within the province, and governing the terms and conditions of insurance under any plan. The Lieutenant Governor in Council may also make regulations designating any agricultural crop as an insurable crop and providing for a right of appeal from any finding, order or decision, as well as for the arbitration of disputes arising out of the adjustment of losses, and for the appointment of an Appeal Board, arbitrators or board of arbitration.

The Agency shall establish and maintain, at a chartered bank, a fund, known as the Prince Edward Island Crop Insurance Fund, to which shall be credited all moneys advanced or paid to the Agency for the purposes of this Act, including premiums and any amount received from the Government of Canada.

The Provincial Treasurer, with the approval of the Lieutenant Governor in Council and on the written requisition of the Minister, may advance to the agency, for working capital, from time to time sums up to a total amount not exceeding \$500,000. On written requisitions, an amount equal to one-half the cost of administering the Act may also be paid each year to the Agency from the Consolidated Fund.

The Minister of Agriculture may, if so authorized by the Lieutenant Governor in Council, enter into an agreement with the Government of Canada as provided for in the Crop Insurance Act (Canada), 1959.

### 3. Income Tax

#### *INCOME TAX ACT OF PRINCE EDWARD ISLAND, R.S.P.E.I. 1951, c. 155.*

Section 3(1) of this Act exempts from income taxation the income of co-operative associations of farmers, dairymen, fruit growers, poultrymen, fishermen and of other like co-operative associations which market the produce of the members under an obligation to pay to them the proceeds from the sales, less expenses and reserves, or purchase supplies and equipment for the use of the members under an obligation to turn them over to turn them over to the members at cost, plus expenses and reserves. Co-operatives must not do business with non-members to a value greater than 20 per cent of their total purchases. The exemption extends to associations owned or controlled by co-operative associations for the purpose of financing their operations.

IV. PRODUCTION

1. General

*ECONOMIC IMPROVEMENT CORPORATION ACT, S.P.E.I. 1967, c. 12.*

The purpose of the Economic Improvement Corporation is the carrying out of all matters or things related to furthering and improving of the economic development of the province with a view to increasing employment and opportunities for employment and to raising incomes and standards of living of the people of Prince Edward Island.

The corporation is empowered, subject to approval by the Executive Council, to establish and administer plans and programs related to the integrated development, processing and marketing of agricultural, forest and fishery resources available to the province; assist financially any person or organization in the process of farm and/or forest land consolidation with a view to creating more economic farming units; buy, hold, sell, lease or otherwise dispose of lands; and other related matters. The Executive Council may vest in the Corporation such powers and responsibilites as is deemed necessary or expedient for the purpose of carrying out any terms of an agreement under the ARDA Act or any other act related to the economic development of the province.

2. Crops

*FIELD-ROOT SEEDS ZONING ACT, R.S.P.E.I. 1951, c. 58.*

The Lieutenant Governor in Council may proclaim any areas as special areas for the purpose of encouraging the growing of pure seed of any root crops and to prevent the cross pollination of such seed. No person shall grow within any such areas an open-pollinated seed crop of a variety other than that for which the area is proclaimed.

*PLANT DISEASE ERADICATION ACT, R.S.P.E.I. 1951, c. 111.*

A Potato Industry Promotion Committee is established for the control of plant diseases or pests, for the promotion of educational and publicity activities designed to improve methods of production, for the extension and investigation of markets and the development of policies calculated to promote the best interests of the potato industry generally. Inspectors may be appointed who have powers of entry and may take specimens. A number of enforcement provisions in the Act prescribe the duties of growers and dealers when their farms or premises have been contaminated by any plant diseases or pest, including the disposal of potato bags or containers and the disinfecting of implements, vehicles and equipment. Every carrier must

supply information regarding the transportation of second-hand potato bags into the province and of potatoes out of the province, and every grower or dealer must supply information twice a year regarding the quantities of potatoes he has shipped out of the province. No person may move set-cutting machinery, potato-planting machinery or other equipment from one farm to another unless it has been thoroughly disinfected. Every operator of such machinery must register annually with the provincial Department of Agriculture, pay a registration fee, and receive and maintain a record book as prescribed and required by regulations under the Act. The record book must be signed by the person requiring the use of such equipment on his farm to signify that disinfecting has been satisfactorily carried out in his presence. Where any producer of potatoes suffers loss by reason of the presence of any plant disease in any potatoes shipped out of the province, he may be reimbursed by a payment out of the Potato Industry Promotion Fund. This fund may also be used for the promotion of the potato industry generally.

*POTATO PRODUCTION ACT, R.S.P.E.I. 1951, c. 114.*

No person shall plant potatoes in the province unless the seed used is of the class "Foundation" or "Certified". This shall not apply on an individual property where potatoe crops do not exceed one-quarter acre in the aggregate, unless authority is granted by the Minister of Agriculture or otherwise declared by proclamation of the Lieutenant Governor in Council. Each grower must register each field of potatoes for inspection, if for seed potato production, to the District Seed Potatoe Inspector of the federal Department of Agriculture; if for table stock production, to the provincial Department of Agriculture. Every grower must exercise necessary care to avoid any possible contamination with bacterial ring rot.

*WEED CONTROL ACT, S.P.E.I. 1955, c. 34.*

No person shall deposit any noxious weeds or weed seeds in any place where it is likely to cause weeds to grow or spread, or move any machine used for threshing, combining, seed-cleaning, chopping, baling, silo filling, etc. without first removing all seeds and residue therefrom. Persons in charge of grain elevators, grist mills, flour mills, seed-cleaning plants, etc. shall dispose of all refuse containing weed seeds in such manner as will prevent the weed seeds from growing or spreading. Operators of seed-cleaning plants used by the public must be licensed and their plants have an efficiency not lower than the minimum standards prescribed by the regulations. The Lieutenant Governor in Council may make regulations designating plants as noxious weeds, prescribing methods and procedures for the destruction of noxious weeds and weed seeds, regulating the transportation of farm produce that is infested with noxious weeds or weed seeds, and similar matters.

### 3. Livestock

#### *APIARY INSPECTION ACT, R.S.P.E.I. 1951, c. 8.*

Provision is made for the appointment of one or more Inspectors of Apiaries who shall make an inspection of all apiaries in June of each year and other inspections where necessary to discover and suppress all bee diseases of a contagious and infectious nature. The powers of inspectors are prescribed. Cases of foul brood or other disease must be reported and dealt with according to this Act. It is an offense for a beekeeper to sell or move away any bees, hives, appliances or product where a contagious or infectious disease exists among the bees. An inspector may order the transfer of bees to movable frame hives. No person engaged in rearing queen bees for sale shall use honey in the making of candy for use in the mailing cages unless the honey has been boiled for at least 30 minutes. He must also have his queen-mating apiaries inspected at least twice each summer. All bees imported into the province in hives or on combs are in quarantine on the premises of the owner who must notify the Minister of Agriculture within 10 days and he must not sell or dispose of the bees or any honey or appliances until permission is obtained from the inspector and the bees are declared free from disease.

#### *ARTIFICIAL INSEMINATION ACT, S.P.E.I. 1957, c. 2.*

*"An Act respecting artificial insemination".*

The Act provides for a board, known as The Artificial Insemination Advisory Board, to act in an advisory capacity to the Minister of Agriculture and the Provincial Animal Pathologist and Veterinarian. The Lieutenant Governor in Council may make regulations dealing with licences, fees, requirements and minimum standards, and penalties.

#### *BANG'S DISEASE ERADICATION ACT, R.S.P.E.I. 1951, c. 17.*

This Act provides for the establishment of Restricted Areas for the eradication of Bang's Disease (brucellosis) in cattle and prohibits the shipping or moving of cattle into such areas unless the cattle are accompanied by a certificate from a qualified veterinarian to the effect that they are free of the disease. Inspectors may be appointed, and inspectors and officers of the Health of Animals Branch of the Canada Department of Agriculture may be designated inspectors under the Act. Inspectors have the power to enter premises and take specimens. The Minister of Agriculture has the power to order premises quarantined and order their cleaning and disinfecting. The 1952 amendment extends the provisions of the Act, including the establishment of restricted areas, to any disease which affects not only cattle but also horses, sheep, swine and fowl. The 1955 amendment provides for financial assistance to the owners of animals ordered slaughtered under the provisions of this Act.

*DOG ACT, R.S.P.E.I. 1951, c. 44.*

This first Part of this Act provides for the levy of a dog tax for school purposes. The rates of tax are specified. If the tax is not paid, the dog in respect of which the tax is unpaid may be ordered to be destroyed. The second Part deals with the protection of livestock (cattle and sheep). Any person may kill any dog found killing or injuring livestock or found straying and not under proper control upon premises where livestock are kept. Where any livestock has been killed or injured by a dog, the owner of the dog is liable for damages. Forty-eight hours after the owner of livestock injured by a dog has given notice of the injury to the owner of the dog, the latter must have the dog destroyed. If the owner does not do so, a justice (stipendiary magistrate) may issue a summons against him and, if the complaint is proved, order the killing of the dog by a peace officer. To carry out the order, the peace officer may enter upon the premises of the owner and kill the dog.

*DOMESTIC ANIMALS ACT, R.S.P.E.I. 1951, c. 45.*

Part I of this Act provides for the holding of a meeting by each school district for the purpose of making regulations, in addition to the prohibitions provided in this Act, with respect to the times of the year in which any animal shall not be allowed to run at large. In the absence of regulations to the contrary, each school district shall be a closed district and no horses, cattle, sheep or hogs shall be allowed to run at large between April 15 and December 15 each year. This does not create any civil liability on the part of the owner of animals for damages caused to the property of others as a result of such animals running at large on any highway.

The Reeve of the school district, who is appointed at the aforesaid meeting, is responsible for enforcing the regulations and his powers and duties in respect to seizure and sale of animals running at large are specified. Part II, which deals with running at large generally, provides that no stallion over one year old, nor any bull over seven months old, nor any ram over three months old nor any swine shall run at large at any time of year. Provision is made for the seizure of such animal running at large by the Reeve or any other person aggrieved, and for the subsequent care and disposal of the animals. Part III deals with unruly or dangerous animals and provides for a court order that they be confined. Part IV is concerned with trespasses by animals, appraisal of damages that they may commit and the action that may be taken against the owners of animals for recovery of damages. Part V deals with stray animals.

*MINK PROTECTION ACT, R.S.P.E.I. 1951, c. 98.*

Mink imported into the province must be carried by one of the government subsidized steamships or railway lines and be inspected by an authorized veterinary officer and subject to further inspection for 10 months. The method of carrying mink, the segregation, confining and quarantining of mink, the duties of persons in notifying the appropriate authorities concerning the appearance of disease among mink and, in general, all measures designed to eradicate and prevent disease among mink, are set out in the Act.

*POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E.I. 1951, c. 116.*

Part II of this Act is concerned with poultry production. It authorizes the Lieutenant Governor in Council to prescribe a program, to be known as the Poultry Improvement Program, for the improvement of poultry stock and the eradication of disease therein; requiring hatcherymen to register annually the names of their marketing agents and to keep available for inspection records of production and marketing of chicks and poultry; prescribing the types, sizes, specifications, labelling and marking of packages used by hatcherymen for the marketing of chicks; prescribing measures of sanitation for hatcheries; prescribing measures for inspection, banding and marketing of chicks and poultry; prescribing the method of applying the pullorum test; prescribing where and when the Dominion Hatchery Approval Policy and the regulations thereunder shall be in force; and permitting registration under the Dominion Hatchery Approval Policy by any person operating a hatchery regardless of capacity. The Lieutenant Governor in Council may appoint a Hatchery Committee to administer certain regulations of the Act. All persons operating hatcheries must have permits from the Hatchery Committee. The powers and duties of inspectors under this Act are prescribed. No person shall ship or accept for shipment chicks from any place within the Province unless the chicks have been produced and labelled as required under the Dominion Hatchery Approval Policy and were produced in approved hatcheries using only eggs from flocks approved under a flock approval policy. (For a summary of Part I of this Act, see "Marketing - Livestock and Livestock Products".)

*STALLION ENROLMENT ACT, R.S.P.E.I. 1951, c. 150.*

No person may stand, travel, advertise or offer for service any stallion unless it has been enrolled and certificate of registration received by the owner. Before enrolment, each stallion must be inspected. There are four grades of certificates for purebred stallions and two classifications for grade or crossbred stallions. The method of inspection and complaints by owners regarding the reports of inspectors are also dealt with in the Act. If no enrolled stallion is available for service in any district, the Minister of Agriculture may issue a provincial certificate for the use of a stallion that has not been inspected, until such time as inspection can be carried out.

*VETERINARY ASSISTANCE ACT, R.S.P.E.I. 1951, c. 170.*

To encourage veterinarians to practice, the Minister of Agriculture may pay to each veterinarian annually an amount to be determined by the Lieutenant Governor in Council, provided the veterinarian complies with the regulations made under this Act. The Act provides for regulations respecting the terms and conditions of these payments, prescribing the maximum fees that may be charged by assisted veterinarians; dividing the province into zones for the purposes of this Act, directing such veterinarians to comply with the Public Health Act when required by any Public Health Officer, and prescribing the uniform fees to be charged by such veterinarians in any district or zone.

V. MARKETING

1. General

"AN ACT TO PROVIDE ASSISTANCE TOWARD THE ESTABLISHMENT OF INDUSTRIAL PLANTS FOR THE PROCESSING OF AGRICULTURAL AND FISHERIES PRODUCTS WITHIN THE PROVINCE", S.P.E.I. 1954, c. 18.

The Lieutenant Governor in Council is authorized to grant assistance towards the establishment of industrial plants within the province for the purpose of processing agricultural, horticultural and fisheries products by way of outright grants or loans or by guaranteeing loans or by a combination of these forms. The assistance may be granted separately or in conjunction with the Industrial Development Bank of Canada or other federal department or agency. No assistance shall exceed 50 per cent of the cost of any plant or extension. Terms and conditions may be attached to assistance including security to be taken, terms of repayment, rates of interest to be charged, furnishing of returns and audits. The aggregate of all loans, grants or guarantees is not to exceed one million dollars. The supervision and administration of all assistance granted hereunder shall be vested in such Minister as may from time to time be designated by the Lieutenant Governor in Council.

*MARKETING ACT, S.P.E.I. 1951, c. 23.*

*"An Act respecting the marketing of agricultural products".*

The Lieutenant Governor in Council may establish plans for the control and regulation, within the province, of the marketing of any agricultural product and may constitute commodity producer marketing boards to administer such plans, vesting in these boards the powers necessary to enable them to effectively control and regulate the marketing of the designated agricultural products in the province. A plan does not become operative until it has been approved by an affirmative vote of 60 per cent of the persons voting within the area to which the plan applies. A temporary plan may be established but a vote must be taken not less than six months and not more than 18 months after the plan has been put into operation. A temporary plan established without a vote taken must be voted on and approved by 60 per cent of the persons voting within the area to which the plan applies.

The powers granted to a producer board may include, among other matters, the power to designate the time and place at which, and the agency by or through which, any regulated product is to be marketed, and to designate the manner of distribution, the quality and quantity, grade or class of the regulated product that is to be marketed by the designated agency at any time. The Board may require all persons engaged in the marketing of the product to be licensed and to provide guarantees of financial responsibility, and to register their names and addresses with the board, to supply the necessary statistical information, to make periodic returns and to permit

their books and premises to be inspected. The Board has the power to fix licence fees, levies and charges; to fix maximum or minimum prices, or both, at which the regulated product or any grade, variety or class of it may be bought or sold, otherwise than by retail to consumers in the province or price that will be required to be paid for the product by a designated agency; to fix different prices for different parts of the province or area; and to determine the maximum spread that dealers or any designated agency may add to the price or prices paid by them for the product. The Board may seize, remove and dispose of any products kept in violation of an order of the Board. It may establish and appoint bargaining committees to act on behalf of producers in negotiating contracts or agreements in connection with any plan and may enforce any obligations under such contracts or agreements. The power to impose charges on a per unit basis for the services of a board, the power to conduct pools for the distribution of moneys received from the marketing of a designated product and distribute the proceeds according to the plan, and the power to co-operate with a marketing board, local board or agency of any other province are also vested in the Board. The Board may have other financial powers. Provision is also made for a voting procedure to terminate marketing plans.

Marketing is defined as including buying, owning, selling, storing, offering for sale, shipping for sale or storage, advertising, financing, assembling, packing, processing and transportation.

Provision is made for co-operation by producer boards with federal marketing authorities.

No producer board or agency may restrict, limit or prohibit the production of any agricultural product or discriminate against any producer to the unjust advantage of any other producer or producers. Fines are provided for failure to comply with the regulations and orders of a producer board. The Minister of Agriculture is charged with the administration of the Act, and producer boards are required to submit a monthly report to the Minister of Agriculture setting out an exact record of all their receipts and expenditures.

The Lieutenant Governor in Council may make regulations for the sale of fruit and vegetables, and may adopt regulations made under the Fruit, Vegetables, and Honey Act, Revised Statutes of Canada, 1952, c. 126. He may also authorize inspectors for the enforcement of the regulations. The penalty for not complying with any regulations under this section is to be in the form of a fine not exceeding \$25.

*PUBLIC HEALTH ACT, R.S.P.E.I. 1951, c. 129.*

Section 5(7) of this Act permits the provincial government to make regulations for the licensing, inspecting, constructing, furnishing, equipping, maintaining, cleaning and disinfecting of all slaughter houses and other places where animals are killed and their flesh prepared for sale or to be used as food. Section 5(13) provides for the regulation of the situation, equipment, sanitation, management and maintenance of all creameries, dairies,

and market gardens. Section 5(21) deals with the prohibition of the use or sale of milk from cows suffering from tuberculosis and of the use or sale of the flesh of animals affected by that disease. Section 5(30) provides for control of the standards and quality of milk and milk products which are offered for sale and of the sanitation of production and processing methods thereof. Section 44 prohibits the handling of food offered for sale by persons having a communicable disease and authorizes Health Officers to require persons handling food to be medically examined. Under Section 51, local Boards of Health may provide for the inspection of milk cows and barns, dairies, cheese factories, creameries and similar establishments. Under Section 52, all slaughter houses shall be regularly inspected under the direction of the local Board of Health, as well as all animals being slaughtered.

## 2. Crops

### *POTATO WAREHOUSE ACT, R.S.P.E.I. 1951, c. 115.*

The Minister charged with the administration of this Act, subject to the approval of the Lieutenant Governor in Council, may make regulations governing the terms on which loans for erection of potato warehouses may be granted and the repayment thereof; attaching conditions regarding the operation and use of warehouses built with government assistance; and determining the allocation of space therein and the storage rates to be charged by the operators of such warehouses. These administrative powers may be delegated to a board appointed by the Lieutenant Governor in Council. The Act is being administered by the Minister of Agriculture.

## 3. Livestock

### *AGRICULTURAL PRODUCTS STANDARDS ACT, P.E.I. 1958, c. 1.*

*"An Act respecting standards of agricultural products".*

This Act provides that the Lieutenant Governor in Council may make regulations requiring and prescribing the manner and conditions of the grading, inspection, packing and marketing of livestock and livestock products, as well as fixing and defining the grade standards of livestock and livestock products. More specifically, he may prescribe regulations for transporting, delivering, shipping, advertising, purchasing and selling livestock and livestock products and in addition, the size, kind, branding, marking and labelling of packages or containers in which livestock products are kept.

The conditions for sales, purchases, and transportation of livestock and livestock products are outlined in detail. In addition, the purchasers of livestock and livestock products at assembling points and abattoirs shall

record the receipts, classifications, weights, and purchase prices, and make the records available to the Minister.

All persons dealing in livestock or livestock products must be classified and all classes must be licensed. Regulations prescribing the forms and classes of licences to be issued, their duration, renewal, qualified issuers and the fees payable are authorized by the Lieutenant Governor. The regulations also require persons dealing in livestock or livestock products to furnish to the Minister a guarantee or security bond, specifying the form and amount and the conditions upon which it may be realized. The Minister may revoke or suspend a licence at any time.

Inspectors appointed for the purpose of preventing or detecting any violation of any provision of the Act may at any time, without warrant, enter any and every part of any place and examine and take copies of all documents, books and records, and make searches in every part of the premises. They also stop any motor truck on the highway and inspect the contents for the purpose of preventing or detecting any violation of the Act. Penalties for violations are in the form of fines ranging from \$50 to \$1,000.

*DAIRY PRODUCTS MANUFACTURING ACT, S.P.E.I. 1954, c. 11.*

The Lieutenant Governor in Council may appoint a Dairy Superintendent and supervisors, inspectors, graders, testers, weighers and clerks to administer this Act. The powers of inspectors are prescribed. The premises and equipment of every dairy manufacturing plant (dairy, cheese factory, creamery, concentrated milk plant, ice cream plant, processed cheese plant or skimming station) must be kept sanitary and the materials used and methods of processing must also be sanitary. If an inspector finds unsatisfactory conditions he may close the plant or order contaminating materials removed. He may also inspect farm premises and utensils and, if necessary, prohibit their use and prohibit the sale of milk or cream from the farm. The Act specifies that milk and cream are to be purchased by a dairy plant on the basis of a recognized butterfat or other test and it describes how tests are to be conducted. Certain specified records are to be kept on the premises where milk or cream is received and certain statements delivered to each patron of the dairy plant. A dairy manufacturing plant may be established only with the permission of the Minister of Agriculture and after he has approved the site, plans and specifications. A licence is required to operate any creamery, cheese factory, ice cream plant or concentrated milk plant or to test milk or cream or to operate a cream or milk gathering station.

*LIVESTOCK COMMUNITY AUCTION SALES ACT, S.P.E.I. 1967, c. 37.*

This Act provides for the establishment of a Livestock Community Auction Sales Advisory Board, consisting of not more than three persons, to act in an advisory capacity to the Minister of Agriculture. The Lieutenant Governor in Council, upon the recommendation of the Minister, may make regulations prescribing the powers and duties of the Board; establishing classes of community auction sales and limiting the application of any regulation to any such class; providing for the form, renewal, suspension, withholding and revocation of licences, the fee payable therefor and for the terms and conditions on which a licence may be issued; prescribing the minimum standards for cleanliness, health and safety for any building or other place where a community auction sale is conducted, and the methods, terms and conditions under which such auctions are carried on; requiring persons who conduct auction sales to keep records, make returns and furnish information in such manner as the Minister stipulates; providing for the bonding of operators and for the amount and form of such bonds; and appointing inspectors to carry out and enforce the regulations.

No person shall sponsor, conduct or engage in the business of operating a community auction sale without a licence. The Act specifies the conditions to which every licence is subject.

*MARGARINE ACT, S.P.E.I. 1965, c. 16.*

This Act prohibits the mixing of margarine with butter for sale or use in any public eating place; forbids, with certain exceptions, the use of preservatives in the production of margarine; prescribes package markings, standards of quality, composition and coloring; and provides that no person shall manufacture margarine in the province without a licence from the Minister of Agriculture. The Act also sets out the powers of inspectors who may be appointed by the Minister for the purpose of enforcing the Act.

*MILK ACT, R.S.P.E.I. 1951, c. 95.*

This Act establishes standards and definitions for milk, skim milk, pasteurized milk, homogenized milk, cream, substandard cream, ice cream and buttermilk. It prescribes how containers for these products shall be branded and how inspectors may take samples of milk and the procedure to be followed if milk is found to be unfit for consumption or below standard. It provides that all producers and distributors of milk must be registered and that all milk must be graded for bacterial, chemical or physical condition and according to the sanitary conditions under which it is produced and distributed. The Act also deals with the procedure to be followed if any person on a registered premises is suspected of having a communicable disease; the condition of producers' premises; the care of milk on the producers' premises and the containers of the milk on those premises; the registration of milk plants, factories, creameries and milk or cream collecting stations; the health and cleanliness of personnel in milk plants; the sanitation of milk

plant premises; the care of milk, milk plant equipment and utensils in milk plants; the registration of distributors; the cleanliness and sanitation of distributors' premises; the care of milk in stores, restaurants, etc.; the inspection and prevention of disease among milk cows, and the cleanliness and sanitation of premises where milk cows are kept. This Act is administered by the Department of Health.

*MILK PROTECTION ACT, R.S.P.E.I. 1951, c. 96.*

The Prince Edward Island Milk Control Board is constituted with power to grant or refuse to grant licences to persons, firms and associations intending to carry on the business of buying or producing fluid milk and cream for resale in the province; to inquire into any matter relating to the production, transportation, processing, distribution or sale of milk or cream; to arbitrate and settle disputes arising between producers, consumers, processors, distributors and transporters of milk; to prescribe standards of price for milk, cream and butterfat and to prevent the sale of milk at any lower price; to investigate and confirm any agreement which may be made between any licensee under this Act and any association of 15 or more persons for the sale of fluid milk or cream to the members of the association at a price lower than the general price fixed under this Act; and to enter premises of the licencees to inspect them and check or audit their books and accounts. No persons licensed under this Act shall buy fluid milk, cream or butterfat or combination thereof at a price less than that prescribed therefor by the Board nor shall any retail vendor sell these products other than at the price set by the Board.

The 1957 amendment authorizes the Lieutenant Governor in Council to appoint a Milk Control Board. The Dairy Superintendent of the province shall be an ex officio member of the Board without voting powers. The Chairman of the Board shall be the Judge of the County or Supreme Court or independent person as appointed. Members of the Board must be sworn in by a Judge of the County Court before performing their duties.

*POULTRY AND POULTRY PRODUCTS ACT, R.S.P.E.I. 1951, c. 116.*

The Lieutenant Governor in Council may, with respect to poultry and poultry products, make regulations prescribing standards of quality and grades; respecting inspection, grading, labelling, branding and marking; setting out types, sizes and specifications of packages, packing material and methods of packing; respecting the shipping, transporting, purchase and sale of poultry and products; prescribing the manner in which shippers of ungraded poultry shall identify individual producer's lots; regarding the preparation of returns and statements by the receiver to the seller; requiring the licensing of persons engaged in the shipping, transporting, purchases or sale of poultry and poultry products, and respecting the advertising of these products. The 1956 amendment provides for a Poultry Products Board which is to administer the regulations made by the Minister of

Agriculture respecting fees for grading and inspection services; sanitation of premises; issuance, renewal, or cancellation of licences; and reports to be made to the Department of Agriculture by persons processing, grading, shipping or transporting poultry products. The duties and powers of inspectors are prescribed.

(For a summary of Part II of this Act see "Production - Livestock".)

*PRINCE EDWARD ISLAND DAIRY PRODUCTS ACT, S.P.E.I. 1953, c. 13.*

The Lieutenant Governor in Council may make regulations establishing grades with appropriate grade names, in accordance with the Canada Dairy Products Act and Regulations, for any class of dairy products (milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet or other product made wholly or mainly from milk). These regulations may prescribe the terms, conditions and manner in which dairy products may be graded; require that they be produced in an establishment that complies with the required conditions and which was registered and licensed in a prescribed manner; prescribe fees that may be charged for grading by graders, and prescribe the sizes, dimensions and other specifications of packages and the manner of packing. There are restrictions on the use of grade names and a prohibition against the sale or possession of a product with a name or grade similar to one authorized. Regulations may be passed prohibiting the manufacture and sale of any dairy product that contains any fat or oil other than that of milk or any substitute for a dairy product. Inspectors and dairy produce graders may be appointed to administer and enforce the Act, and their powers and duties are prescribed. The Act applies the Canada Dairy Product Act to the dairy industry of the province. Federal graders and inspectors are appointed as provincial inspectors for the purpose of this Act.

## VI. AGRICULTURAL SOCIETIES AND EDUCATION

### *AGRICULTURAL ENCOURAGEMENT ACT, R.S.P.E.I. 1951, c. 5.*

Fifteen or more persons may organize a Farmers' Institute in such districts as the Lieutenant Governor in Council may define, not including the City of Charlottetown and the Town of Summerside. The object of an Institute shall be to promote agricultural education; to disseminate information on improved methods of soil cultivation, orchard management, construction of farm buildings and all other matters relating to the advancement of agriculture; to provide for the introduction of improved breeding stock; to provide for the co-operative purchase of supplies required by members; and to conduct the sale of agricultural products. The Act prescribes the method of organizing Institutes, the conduct of elections, the preparation of reports and statements, the method of obtaining provincial grants and similar matters.

### *AGROLOGIST ACT, S.P.E.I. 1960, c. 49.*

The Act, which establishes the Prince Edward Island Institute of Agrologists as a body corporate, sets out the aims and objects of the Institute; qualifications for membership; the formation of a Council of Management and a Board of Examiners; the power of the institute to acquire, sell, mortgage, lease or otherwise dispose of property, and to make by-laws; and disciplinary procedures. No person may practice agrology, or assume verbally or otherwise the title of Agrologist, unless he is a member, in good standing, of the Institute.

### *AN ACT TO INCORPORATE THE PRINCE EDWARD ISLAND DAIRYMEN'S ASSOCIATION, S.P.E.I. 1925, c. 18.*

This Act provides for the incorporation of the Prince Edward Island Dairymen's Association which comprises the representatives of all factories engaged in the manufacture of dairy products in the province. The objects of the Association are the encouragement of dairying and improvement in the manufacture of butter, cheese and other dairy products and all matters connected therewith, and the co-operative buying of supplies and the co-operative marketing of dairy products.

The Association is empowered to carry on the business of wholesale and retail merchants in all kinds of goods, wares and merchandise also the business of general warehousemen in all its branches and generally to trade and deal in all produce, provisions, materials and goods of every description.

The 1967 amendment states that on or before May 1, 1967 and of each subsequent year, every owner, operator, manager or person in charge of a cream station in Prince Edward Island shall apply for a licence to the Dairy Superintendent, Department of Agriculture, Charlottetown.

*PRINCE EDWARD ISLAND VETERINARY MEDICAL ASSOCIATION ACT, 1957, c. 53.*

This Act sets out the objects of the Prince Edward Island Veterinary Medical Association; the qualifications for membership; the election and duties of officers; the appointment of a Registrar; penalties for persons practising veterinary medicine without registration; and cessation of membership for unprofessional conduct or for conviction on any indictable offence.

*WOMEN'S INSTITUTE ACT, R.S.P.E.I. 1951, c. 177.*

The objects of Women's Institutes are: the improvement of social conditions through the study of home economics, child welfare, local needs, industrial and social conditions; fostering a spirit of patriotism; assisting to hospitals and charities; establishing Women's Institutes and social and educational centers in the community and using them to welcome new settlers; encouraging agriculture and improving agricultural conditions; and holding demonstrations, lectures, short courses, libraries, exhibitions, competitions, meetings and conventions. The Act deals with the organization of branch institutes, their incorporation, membership, officers, meetings and annual reports. It also provides for a provincial governing body of the Federated Women's Institutes of Prince Edward Island, known as the Provincial Board of Directors.

## VII. CO-OPERATIVES AND CREDIT UNIONS

### *CO-OPERATIVE ASSOCIATION ACT, R.S.P.E.I. 1951, c. 32.*

Any ten or more persons, or five or more associations, may form an incorporated association to produce or sell livestock, farm products or fishery products on the co-operative plan or to operate a business for procuring and selling supplies or rendering services to producers and consumers. The Act prescribes the method of incorporation, the powers of the association, the by-laws which the association may have and deals with membership, registers, contracts, capital and shares, elections, annual statements and returns, apportionment of surplus, obligations of officers and shareholders, dissolution of associations and similar matters. A Supervisor of Co-operative Associations may be appointed to inspect, inquire and examine into the affairs of co-operative associations and report to the Provincial Secretary. If no persons is designated as Supervisor, the Registrar (the Deputy Provincial Secretary) shall have his powers and duties.

### *CREDIT UNION ACT, S.P.E.I. 1964, c. 7.*

*(This Act supersedes the Credit Union Societies Act, R.S.P.E.I. 1951 and amendments.)*

The Prince Edward Island Credit Union League Limited is charged with the administration of this Act, and is required to inspect and examine, from time to time, the administrative and financial affairs of all credit unions; to report annually to the Provincial Secretary respecting the state of affairs of credit unions; and to perform such other administrative duties as may be prescribed by the Lieutenant Governor in Council. The rules and regulations made by the League are to be the rules and regulations of each credit union, and a Registrar shall keep a register and record of all credit unions.

Any seven or more persons who are 21 years of age or over with a common bond of occupation or association may form a credit union. The Act also details the powers of credit unions, including those to make contracts, acquire, hold or dispose of property, undertake mergers, receive payments on shares or deposits, land funds, borrow moneys, purchase life insurance on its members, invest surplus funds in authorized securities, and sell negotiable cheques to members.

The administration and management of each credit union is vested in a Board of Directors, in addition to a Credit Committee and a Supervisory Committee. The election of officers, and the duties and powers of the Board of Directors, Credit and Supervisory Committee are described.

Before declaration of dividends, 20 per cent of the net earnings of a credit union are to be set aside as a Reserve Fund. A Credit Union Stabilization Fund and Board for all credit unions is also provided by the Act, the Fund comprising all moneys received by the Board, including a levy not exceeding one per cent of the annual gross earning of all credit unions.

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